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# Congressional Boxscore

## MAJOR LEGISLATION IN 87th CONGRESS

As of May 26, 1961

### Party Lineups

	Dem.	GOP	Vacancies
HOUSE	262	174	1
SENATE	65	35	0

BILL	HOUSE	SENATE	STATUS
Depressed Areas (S 1) (HR 4569)	Reported 3/22/61	Reported 3/8/61	PL 87-27 5/1/61
Minimum Wage (S 1457, S 895) (HR 3935)	Reported 3/13/61	Reported 4/12/61	PL 87-30 5/5/61
Aid to Education (S 1021) (HR 7300)	Ordered Reported	Reported 5/12/61	Passed 5/25/61
College Aid (S 1241) (HR 7215)	Ordered Reported		
Omnibus Housing (S 1922) (HR 6028)	Reported by Subcommittee	Reported 5/19/61	Debate Scheduled
Temporary Unemployment Benefits (HR 4806)	Reported 2/25/61	Passed 3/1/61	Reported 3/15/61
Medical Aid to the Aged (S 909) (HR 4222)		Passed 3/16/61	PL 87-6 3/24/61
Social Security Changes (HR 6027)	Reported 4/7/61	Passed 4/20/61	Hearings Underway
Dependent Children Aid (HR 4884)	Reported 2/27/61	Passed 3/10/61	Reported 4/14/61
Sugar Act Extension (HR 5463)	Reported 3/14/61	Passed 3/21/61	Reported 3/28/61
Feed Grains Program (S 993) (HR 4510)	Reported 2/27/61	Passed 3/9/61	Reported 3/2/61
Mexican Farm Workers (HR 2010)	Reported 4/24/61	Passed 5/11/61	Passed 3/10/61
Omnibus Farm Bill (S 1643) (HR 6400)	Hearings Underway	Hearings Underway	PL 87-15 3/31/61
Mutual Security			PL 87-5 3/22/61
OECD Treaty (Exec. E, 87th Cong. 1st Sess.)	No House Action Needed	Reported 3/8/61	Passed 3/16/61
Peace Corps			Signed 3/23/61
Reorganization Act (S 153)	Reported 3/23/61	Passed 3/29/61	Reported 1/30/61
Judgeships (S 912)	Reported 3/30/61	Passed 4/19/61	Passed 2/6/61
Civil Rights (S 1817-20, S J Res 81-82) (HR 6875-77, HR 6890, H J Res 403-4)		Reported 2/28/61	Passed 3/3/61
Tax Revision	Hearings Underway		PL 87-18 4/7/61
Highway Financing (HR 6713)	Reported 5/1/61	Passed 5/4/61	PL 87-36 5/19/61
Water Pollution (S 861) (HR 6441)	Reported 4/25/61	Passed 5/3/61	Hearings Completed
Mass Transportation (S 345)		Hearings Completed	
Airport Grants (S 1703) (HR 6580)	Hearings Completed		
Regulatory Agency Reform			

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## SENATE PASSES AID-TO-EDUCATION BILL, 49-34

The Senate May 25, by a 49-34 roll-call vote, passed the School Assistance Act of 1961 (S 1021), providing \$2,550,000,000 in grants to the states to be used for operation, maintenance and construction of public schools and for teachers' salaries. The bill also extended the programs of school aid to areas "impacted" by federal activities (PL 815, PL 874) for three years. (For voting, see chart p. 903)

Passage followed eight days of debate on the bill. During that time the Senate accepted only two amendments to the bill. Supporters of the bill, led by floor manager Wayne Morse (D Ore.), beat off 15 other amendments designed to raise or resolve latent civil rights and religious issues, to limit the bill, or to substitute other forms of aid to education.

The principal amendment accepted broadened the purposes of the bill to aid in operation and maintenance of public schools as well as their construction. It also modified the Administration's proposal that 10 percent of the funds be set aside for special educational projects by making the set-aside voluntary instead of mandatory. (The 10 percent requirement had already been eliminated by a House subcommittee, reportedly because Southerners feared it would be used to further integration.) Winston Prouty (R Vt.), sponsor of the Senate amendment, said it was favored by many local school administrators because it would give them a wider choice of use of the funds. Prouty said there were areas that did not need money for teachers' salaries or school construction but "have a hard time paying for bus service, textbooks, school health services and the like." Joseph S. Clark (D Pa.) said the Prouty amendment would "dilute" the three objectives of the bill: to raise teachers' salaries, build needed classrooms, and provide money for special programs for special categories of children. Clark said he feared "the money would be frittered away for athletic programs, domestic science courses" and other programs that were popular, but "would not raise the level of education a bit." The Prouty amendment was adopted May 23 by a 51-39 roll-call vote. (For voting on amendments, see charts p. 901-903)

The other amendment accepted by the Senate was sponsored by Clark and was approved by voice vote May 23. It doubled, to \$3.1 million, the annual allocation for the District of Columbia. Adoption of the amendment lowered slightly the allocations to the 50 states. (See chart, next page)

## CIVIL RIGHTS ISSUE

Much of the debate centered on whether Congress should write into the bill provisions that funds should or should not be granted to areas maintaining segregated school systems. The Senate May 17, by a 25-70 roll-call vote, rejected an amendment by Strom Thurmond (D S.C.) to prohibit withholding of school-aid funds from any state or school because of racial segregation in the

schools. Nineteen Southern Democrats and six Republicans voted for the Thurmond amendment.

The next vote came on an amendment by Prescott Bush (R Conn.) saying that funds should be granted only to a state "which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools." A motion by Morse to table the amendment was agreed to May 22 by a 61-25 roll-call vote. Four Northern Democrats -- Dodd (Conn.), Douglas (Ill.), Lausche (Ohio) and Pastore (R.I.) -- and 21 Republicans voted against tabling the Bush amendment. Three Republicans -- Goldwater (Ariz.), Bennett (Utah) and Schoeppel (Kan.) -- voted for both the Thurmond and Bush amendments.

During debate on the amendment, Bush said he would vote against final passage of the bill, but since he thought the bill would pass, the amendment would improve it. Civil rights supporters, such as Clark, Morse and Jacob K. Javits (R N.Y.), argued that the Bush amendment would endanger the bill's chances for enactment. The National Assn. for the Advancement of Colored People supported the Bush amendment.

Frequent reference was made during the debate to a letter from Abraham A. Ribicoff, Secretary of Health, Education and Welfare, answering Sen. Prouty's question as to whether the Secretary could withhold funds from any state because of segregation in its schools. Ribicoff said: "In my opinion neither the Secretary nor the Commissioner (of Education) would have such authority."

The Senate May 23 rejected, by a 32-62 roll call, an amendment by Kenneth B. Keating (R N.Y.) to authorize a suit by taxpayers seeking an injunction against unconstitutional expenditures of funds under the bill and to guarantee speedy hearing and review of the suits. Keating's purpose was to overcome Supreme Court rulings strictly limiting taxpayers' rights to challenge the constitutionality of federal laws. (Weekly Report p. 392)

He said the amendment had "no special application to segregation problems," but later acknowledged that civil rights was "one of the major fields in which it might be applied." Morse said the amendment contained "a grave risk that the entire program of federal aid to education...could be interfered with if a series of taxpayers' suits were brought...to enjoin payments to any and all states." Ribicoff sent a letter opposing the amendment.

The final civil rights vote came on an amendment by Herman E. Talmadge (D Ga.) to bar withholding of funds from any state education agency "which has complied with the provisions of this Act." Citing Ribicoff's statement that he could not withhold funds, Talmadge said it "would be a grave mistake to begin a program of federal aid to education relying only on a letter from only one Secretary to safeguard against the whims and caprices of unbound future Secretaries." Lee Metcalf (D Mont.) supported the Talmadge amendment, saying it would make no difference in light of Ribicoff's letter. Morse said at best the amendment was "surplusage," at worst it would

### State Allotments

The following table shows the estimated allotments to each state in fiscal 1962 under the School Assistance Act (S 1021) as passed by the Senate with an amendment increasing D.C. funds. The table also shows the amount to be allotted for each child of school age (5 through 17) in the states -- the basis on which the total state allotment is computed.

STATE	ALLOTMENT	
	Total	Per Child
ALABAMA	\$23,961,023	\$26.65
ALASKA	1,109,617	18.49
ARIZONA	7,391,526	21.80
ARKANSAS	12,843,811	27.74
CALIFORNIA	46,145,364	12.43
COLORADO	8,880,002	19.06
CONNECTICUT	5,205,951	9.25
DELAWARE	1,237,222	10.57
FLORIDA	21,882,711	19.26
GEORGIA	27,994,294	25.57
HAWAII	3,732,454	21.70
IDAHO	4,400,517	23.79
ILLINOIS	31,458,923	13.09
INDIANA	22,739,372	18.72
IOWA	14,360,065	20.37
KANSAS	11,090,987	20.17
KENTUCKY	21,370,401	25.81
LOUISIANA	22,162,149	24.30
MAINE	5,165,783	21.80
MARYLAND	13,656,051	17.20
MASSACHUSETTS	14,762,560	13.36
MICHIGAN	37,858,970	17.62
MINNESOTA	18,362,008	20.63
MISSISSIPPI	17,448,720	27.74
MISSOURI	18,486,729	18.05
MONTANA	3,881,587	20.76
NEBRASKA	7,343,701	20.01
NEVADA	1,038,379	13.66
NEW HAMPSHIRE	2,721,150	19.44
NEW JERSEY	16,561,767	11.96
NEW MEXICO	6,358,953	24.18
NEW YORK	40,577,641	10.88
NORTH CAROLINA	33,689,105	26.36
NORTH DAKOTA	4,527,235	25.15
OHIO	39,445,240	16.13
OKLAHOMA	12,578,909	22.46
OREGON	9,025,547	19.45
PENNSYLVANIA	43,945,475	16.53
RHODE ISLAND	3,427,273	17.05
SOUTH CAROLINA	20,361,463	27.74
SOUTH DAKOTA	4,451,597	23.55
TENNESSEE	23,483,592	25.25
TEXAS	57,957,084	21.80
UTAH	6,309,502	23.63
VERMONT	2,079,458	22.12
VIRGINIA	23,759,516	22.61
WASHINGTON	12,952,517	17.69
WEST VIRGINIA	12,889,861	24.55
WISCONSIN	19,984,675	19.57
WYOMING	1,790,255	19.89
D. OF C.	3,125,420	18.49
TERRITORIES (4)	22,025,888	27.74
<b>TOTAL</b>	<b>\$850,000,000</b>	<b>(av.) \$18.54</b>

kill the bill. His motion to table the amendment was agreed to on a 61-30 roll call.

The religious issue was briefly raised, but quelled when the Senate rejected an amendment by Goldwater to provide \$351 million over three years for loans for construction of private elementary and secondary schools. Clark, Morse and Javits, all members of the Labor and Public Welfare Committee, opposed the amendment and said the Committee was committed to considering such a proposal as an amendment to the National Defense Education Act. A Morse motion to table Goldwater's amendment was agreed to by a 66-25 roll call.

### SUBSTITUTE PROPOSALS

Several amendments embodying substitute proposals were defeated in a series of roll-call votes. John Sherman Cooper (R Ky.) and Javits offered a substitute formula granting a minimum of \$20 per public school child and setting a "minimum foundation" of federal, state and local expenditures for each child. Under this formula, the very rich and the very poor states would have received more than under S 1021 as passed and the 35 middle-income states less, at a saving of \$326 million. Cooper called the Committee formula a "grab bag." He also said the Committee bill rubbed "salt in the wound" of Catholics because it granted them no aid but counted Catholic children in allocating funds to the states. The Cooper-Javits formula was rejected May 22 by a 33-50 roll call.

Alternative proposals were offered by Sens. Blakley (D Texas), Cotton (R N.H.), Proxmire (D Wis.), Goldwater and Case (R S.D.), but were rejected. (For details of their proposals and votes on them, see Amendments Rejected below.)

Amendments to limit S 1021 also were rejected. These were proposals to: delete provisions allowing funds to be spent for teachers' salaries (Goldwater); restore the original Administration authorization and allocation formula, granting money on behalf of public school children only (Lausche); reduce the authorization to \$2,298,000,000, as originally requested by the Administration (Cooper, Javits); and limit the administrative costs of the program (Jack Miller, R Iowa). (For details, see below) Morse said he had talked to the President and Mr. Kennedy said he supported the Committee version of S 1021 in preference to the Administration's original language.

**PROVISIONS --** As passed by the Senate, the major provisions of S 1021 were identical to those reported by the Labor and Public Welfare Committee (Weekly Report p. 835) with the following exceptions:

The federal funds could be used for operating and maintenance costs of public schools as well as for public school construction and teachers' salaries.

Each state was allowed (not required) to set aside annually an amount equal to 10 percent of its first-year allotment for paying part of the cost of pilot, demonstration or experimental projects to meet special school problems.

### AMENDMENTS ACCEPTED

May 23 -- Winston L. Prouty (R Vt.) -- Permit use of the funds for operation and maintenance costs of public schools as well as public school construction and teachers' salaries; make voluntary the setting aside of 10 percent of the funds for "special projects." Roll call, 51-39.



Joseph S. Clark (D Pa.) -- Double the funds allocated to the District of Columbia. Voice vote.

#### AMENDMENTS REJECTED

May 17 -- Strom Thurmond (D S.C.) -- Prohibit the withholding of school-aid funds from any state or school because of racial segregation in the schools. Roll call, 25-70.

William A. Blakley (D Texas), modified by Jack Miller (R Iowa) -- Return to each state for education purposes two percent of the federal taxes on personal income collected in the state. (A substitute for the bill's authorization formula). Roll call, 30-64.

May 19 -- Norris Cotton (R N.H.), modified by Miller -- Return to each state for education purposes 3 cents out of the 8-cent tax collected on each pack of cigarettes sold in the state. Roll call, 29-63.

William Proxmire (D Wis.), modified by Miller -- Add language stating that the money allocated to each state under S 1021 constituted a return of a certain portion of the federal tax on personal income collected from residents of the state. Roll call, 22-73.

John Sherman Cooper (R Ky.) and Jacob K. Javits (R N.Y.) -- Substitute a formula granting a minimum of \$20 for every public school child and set a "minimum foundation" of federal, state and local expenditures for each child. Roll call, 33-50.

May 22 -- Prescott Bush (R Conn.) -- Grant money only to a state "which, in good faith, is proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools." Rejected by tabling motion. Roll call, 61-25.

May 23 -- Kenneth B. Keating (R N.Y.) -- Authorize suits by taxpayers seeking an injunction against unconstitutional expenditure of the school-aid funds, and guarantee speedy hearing and review of the suits. Roll call, 32-62.

Barry Goldwater (R Ariz.) -- Substitute a three-part bill granting merit scholarships for college education, giving federal tax credits for local property taxes used for construction and maintenance of public schools, and granting tax relief for families with children attending college. Roll call, 10-79.

May 24 -- Goldwater -- Delete provisions allowing funds to be spent for teachers' salaries. Voice.

Frank Lausche (D Ohio) -- Restore the original allocation formula and the authorized funds suggested by the Administration, counting only children in public schools when allocating funds. Roll call, 32-61.

Goldwater -- Add a provision for \$351 million over three years for loans for construction of private elementary and secondary schools. Rejected by tabling motion. Roll call, 66-25.

Francis Case (R S.D.) -- Set aside one percent of federal income taxes to be returned to the states, on the basis of their school-age population, for education purposes (a substitute for the bill's authorization formula). Roll call, 30-61.

Cooper, Javits -- Reduce the authorization from \$2,550,000,000 to \$2,298,000,000, as originally requested by the President. Roll call, 30-59.

Herman E. Talmadge (D Ga.) -- Bar the withholding of funds from any state education agency "which has complied with the provisions of this Act." Rejected by tabling motion. Roll call, 61-30.

Miller -- Limit administrative costs of the bill to \$1 million annually. Roll call, 24-63.

## LATIN AMERICA AID

The Senate May 18 refused by a 95-0 roll-call vote to recede from its amendment to the \$500 million Inter-American Social and Economic Cooperation Program (HR 6518). The amendment set a ceiling of 8 percent on annual interest rates charged by lending institutions in recipient nations for funds loaned or reloaned under the Program. (For voting, see chart p. 901).

The motion to recede from the amendment was offered by Appropriations Committee Chairman Carl Hayden (D Ariz.), who presented letters from the Treasury and State Departments objecting to the "rigid" ceiling established in the amendment. Late in the debate, which focused on the effect of the interest rate ceiling on the success of the Program, Hayden offered to withdraw his motion. The amendment's sponsor, Sen. John J. Williams (R Del.), insisted on a roll-call vote as a reaffirmation of the Senate's position on the amendment. After rejecting the Hayden motion the Senate asked the House for a conference on the amendment.

BACKGROUND -- The Senate May 9 adopted Williams' amendment and passed and returned to the House the amended bill. The House May 11 refused to agree to the Senate amendment or to go to conference on the bill. (Weekly Report p. 796)

DEBATE -- May 18 -- Carl Hayden (D Ariz.) -- "An artificial across-the-board interest ceiling is unrealistic and will serve no constructive purpose."

John Sherman Cooper (R Ky.) -- "To allow an open-end interest rate will...discourage administrative reform and social reform" in Latin America.

John J. Williams (R Del.) -- "I am not wedded to the language of the amendment, but I am wedded to the principle that we are not going to advance American money to any group in South America and then permit those recipients to extract exorbitant rates of interest from the people."

## SHIP SUBSIDIES

The House May 18 by voice vote, without debate, agreed to the Senate version of a bill (HR 6100) to make possible more cruises on U.S. passenger ships. As sent to the President the bill authorized operating subsidies for ship cruises in the slack season on regular routes.

BACKGROUND -- HR 6100 was passed by the House April 17 and the Senate April 27. (Weekly Report p. 757)

## LEGISLATIVE FUNDS

The House May 22 passed by voice vote and sent to the Senate, without amendment, the legislative appropriations bill for fiscal 1962. HR 7208 appropriated \$104,353,335, of which \$47,856,835 was for the House of Representatives and the remainder was for the Library of Congress, Government Printing Office and related activities. The Senate will add funds for its own activities when it considers the bill.

BACKGROUND -- The Appropriations Committee reported the bill May 19 (H Rept 419). The report said an appropriation of \$20,400,000 -- \$2,277,500 above fiscal 1961 funds -- was necessitated by the March 15 House resolution (H Res 219) permitting Members to hire additional staff or raise salaries of current staff members as of April 1. The report said 350 Representatives currently were not using their full staff salary allowances. (Weekly Report p. 418).

## MILITARY PROCUREMENT

The House May 24, by a roll-call vote of 402-0, passed and sent to conference an amended version of a bill (S 1852) authorizing appropriations of \$12,368,000,000 for procurement of aircraft, missiles, and ships in fiscal 1962. (For voting, see chart p. 908) The sum was \$393 million more than requested by President Kennedy, but \$131.8 million less than the \$12.5 billion approved May 15 by the Senate. (Weekly Report p. 836) The House version of S 1852 consisted of the text of a companion bill (HR 6151) reported May 10 by the House Armed Services Committee.

Both the Senate and House versions of S 1852 authorized the entire \$11,974,800,000 requested by President Kennedy -- an increase of \$1.4 billion over President Eisenhower's original request for military procurement funds. To this the Senate added \$525 million to continue procurement of B-52 bombers, for which neither President had requested additional funds. Of the \$393 million added by the House, \$337 million was likewise allotted to long-range bomber procurement -- B-52s or B-58s. Also added to the request was \$21.2 million to equip the C-135 jet transport with improved engines, \$25 million for three new jet planes for the President and other officials, and \$10 million to cover costs of building two nuclear-powered frigates in place of three with conventional power. The latter revision was acceptable to Secretary of Defense Robert S. McNamara, according to Rep. Carl Vinson (D Ga.), chairman of the House Armed Services Committee.

No criticism was voiced of the Committee's action in adding \$393 million to the request; on the contrary, Rep. Charles S. Gubser (R Calif.), with the backing of the Republican Policy Committee, offered an amendment to authorize an additional \$697.5 million for six more Polaris submarines. Noting that the amendment had been rejected in Committee by a vote of 3-25, Rep. Paul J. Kilday (D Texas) cited a letter from Secretary McNamara saying that the Navy's goal of 45 Polaris subs had never been approved by the Defense Department and that no more than 29 (the number provided for in S 1852) should be authorized pending further study. Gubser's amendment was rejected by a 58-105 teller vote.

PROVISIONS -- As passed by the House, S 1852 authorized lump-sum appropriations as follows:

Aircraft:	Army	\$ 211,000,000
	Navy & Marine Corps	1,585,600,000
	Air Force	3,670,200,000
Missiles:	Army	550,800,000
	Navy	606,400,000
	Marine Corps	27,000,000
	Air Force	2,792,000,000
Naval vessels:	Navy	2,925,000,000
	TOTAL	\$12,368,000,000

### AMENDMENT REJECTED

May 24 -- Charles S. Gubser (R Calif.) -- Add \$697.5 million for procurement of six additional Polaris submarines. Teller vote, 58-105.

RELATED DEVELOPMENT -- In a special message to Congress May 25, President Kennedy asked for an additional \$100 million for Army procurement of helicopters and other modern equipment. Only the portion covering helicopters would require prior authorization and it could be added to S 1852 by Senate-House conferees. (See p. 880)

## NASA AUTHORIZATION

The House May 24 passed by voice vote and sent to the Senate a bill (HR 6874) authorizing appropriations of \$1,376,900,000 for the National Space and Aeronautics Administration for fiscal 1962. The sum was \$126.6 million more than the amount requested by President Kennedy, which was in turn \$140.3 million more than President Eisenhower's request. No changes were made in the bill as it was reported May 12 (H Rept 391) by the House Science and Astronautics Committee. (Weekly Report p. 791. Note corrected figures above.)

Except for an extra \$10 million to speed development of solid propulsion fuels, all of the amount added by the Committee to the Kennedy request had been sought by NASA but denied by the Bureau of the Budget. More than \$1 billion of the total authorization was for research and development, with the largest single item -- \$224 million -- for the Saturn booster rocket.

No Member opposed the bill, and critics of the Committee's additions were in a distinct minority. Reps. George P. Miller (D Calif.) and Perkins Bass (R N.H.) complained that NASA had provided insufficient justification for the additional amounts authorized. Said Bass: The Committee's hearings on the bill, started shortly after Soviet Astronaut Gagarin's successful orbit of the earth April 12, "were conducted in an atmosphere of panic, almost hysteria." Chairman Overton Brooks (D La.) denied the charge, however, and other speakers voiced enthusiasm for the Committee's measure. Their common theme: in its space race with the Soviet Union, the U.S. must be prepared to spend whatever is needed -- "at least \$3 billion a year, maybe more, for the next 10 years," according to Rep. R. Walter Riehlman (R N.Y.).

PROVISIONS -- As sent to the Senate, HR 6874 authorized appropriations in the following amounts:

Salaries and expenses	\$ 199,286,000
Research & development	1,023,539,000
Construction of facilities	139,075,000
Emergency construction	15,000,000
TOTAL	\$1,376,900,000

RELATED DEVELOPMENT -- In his May 25 message to Congress on "Urgent National Needs," the President asked for an additional \$679 million for the space program "above and beyond the increases I have earlier requested." Said the President: "I believe that this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth." This objective, he said, would require an additional \$531 million immediately and "still higher sums in the future." (See p. 880)

The balance of his request included \$23 million to speed development of a nuclear rocket, \$50 million for communications satellites, and \$75 million for a weather observation system. Altogether, the President said, he was asking Congress and the country to accept "a firm commitment to a new course of action -- a course which will last for many years and carry very heavy costs -- an estimated \$7-\$9 billion additional over the next five years." The President's request could be handled by the Senate increasing the authorization provided in HR 6874, or by enactment of a separate bill.

## TEST BAN TALKS POSE KEY ISSUE AT VIENNA

President Kennedy's forthcoming meeting with Soviet Premier Nikita Khrushchev, announced May 19, will permit "a personal exchange of views," the President told Congress May 25. "No formal agenda is planned and no negotiations will be undertaken," he said, during the June 3-4 talks in Vienna following his May 31-June 2 visit to Paris. (Weekly Report, p. 846)

It was widely reported, nevertheless, that the President was most concerned over the impending collapse of negotiations for a treaty to ban nuclear tests, and that he intended to impress upon the Soviet leader both the impossibility of reaching agreement on the basis of current Soviet terms and the dangers inherent in any resumption of testing. Under strong pressure from Congress and some quarters in the Administration to break off the three-year-old talks and resume testing, the President was said to feel that the issue must be resolved quickly and that a direct appeal to Khrushchev offered the only prospect of hope.

## Background

President Eisenhower initiated the long effort to conclude a test ban agreement, in a letter Jan. 12, 1958 to then Soviet Premier Nikolai Bulganin. As a first step, a committee of experts met July 1 and concluded, in a report adopted Aug. 21, that it was technically feasible to detect nuclear tests. The U.S., Britain, and Russia then agreed to begin negotiations Oct. 31 in Geneva and thereafter to suspend voluntarily further testing pending agreement on a treaty.

The talks quickly centered on what has remained the central issue between East and West -- the nature and scope of the inspection system required to police a test ban. For the U.S. and U.K., an effective control system called for a substantial number of control posts in each of the three countries, staffed by experts of several nationalities empowered to make on-site inspections of suspicious seismic events. The Soviets, after flatly refusing to countenance any such "spy system," subsequently relaxed their position somewhat; at no stage, however, would they agree to the minimum control system acceptable to the West.

Early in 1959, new technical data submitted by the U.S. cast doubt on the adequacy of methods for detecting small underground explosions. This led eventually to a new U.S. proposal, submitted Feb. 11, 1960, for a phased treaty banning tests in those environments where effective control could be established. The plan called for a ban on all atmospheric tests, all underwater tests, and all underground tests above a seismic reading of 4.75 -- corresponding to a 19-kiloton yield. The plan also called for a joint research program on means of detecting smaller underground tests.

The Soviets March 19, 1960, accepted the U.S. proposal as a basis for negotiation, on condition that all parties agree not to carry out such smaller tests pending completion of the research program in four to five years. On March 31 the U.S. and U.K. agreed to institute such a moratorium, on a temporary basis, provided a

treaty was signed, and on May 3 the Soviets welcomed the offer as a "positive" contribution. This was the high point of the negotiations; although all of the key control and inspection problems remained at issue, it appeared that an agreement might be achieved. Two weeks later, this hope was dashed by the collapse of the summit meeting and Khrushchev's stormy exit from Paris in the wake of the U-2 affair. Little further progress was recorded at Geneva before the talks were suspended Sept. 27, shortly before the 1960 Presidential election.

## Developments in 1961

As the campaign opened, the Eisenhower Administration was preparing to go ahead with plans for a series of underground nuclear tests in December, as part of the research program to improve detection methods. That date was subsequently pushed back to February, then to April. The issue entered the campaign, as Vice President Richard M. Nixon called for an early deadline for securing an agreement with the Soviets, while Sen. John F. Kennedy pledged one last effort to obtain a treaty.

Shortly after his inauguration Jan. 20, President Kennedy asked the Soviets to agree to postpone resumption of the Geneva talks, scheduled for Feb. 7, until March 21. Meanwhile, he selected John J. McCloy to be his disarmament adviser, Arthur Dean to head the U.S. delegation in the test ban negotiations, and Dr. Glenn T. Seaborg as Chairman of the Atomic Energy Commission, replacing John A. McCone. AEC's annual report, prepared under McCone's direction and released Jan. 30, warned that continuation of an un-policed moratorium on tests was a serious threat to U.S. security and argued that "further nuclear testing would achieve major advances in weapons designs."

On March 7 the President called in key Administration and Congressional leaders to discuss the U.S. position; McCloy, Dean, Seaborg, and Secretary of State Dean Rusk appeared March 9 before the Joint Atomic Energy Committee. Reports of these closed-door meetings indicated that the Administration contemplated no major changes in the U.S. position as developed in 1960, and that the Joint Committee was continuing to insist on an early deadline for breaking off talks and resuming testing.

As the Geneva talks reopened March 21, the U.S. proposed a number of modifications in the Western position. These called for increasing the period of the moratorium on undetectable underground tests from 27 months to three years; permitting the Soviets to examine nuclear devices to be used in the U.S. detection research program, a full ban on high-altitude tests, and a reduction in the number of control posts to be established in the Soviet Union from 21 to 19.

Soviet Delegate Semyon K. Tsarapkin raised two new obstacles, however. He warned, for the first time, that continued testing in the Sahara by the French (who had refused to join the talks) would kill off any chance of getting a treaty. And he insisted on a three-member executive for the control organization -- a Soviet, a Westerner, and a neutral -- similar to Khrushchev's 1960



proposal for replacing the United Nations Secretary General by a triumvirate. This proposal, regarded as giving the Soviets a "built-in veto" over the control mechanism, was labeled "unacceptable" by the U.S. and the U.K.

As the talks continued, Tsarapkin refused to budge and on April 21 the President admitted being "very discouraged by the newest insistence of the Soviets on a veto." Dean returned to Washington April 30 to brief the President and the National Security Council May 2; on May 5 he went back to Geneva with instructions to "report within a reasonable time on the prospects for a constructive outcome." He again flew to Washington May 20, returning to Geneva May 24 with the President's instructions "to use every reasonable effort to get a workable and effective treaty." The same day, Chairman Chet Holifield (D Calif.) and several other members of the Joint Committee also flew to Geneva. An air of impending crisis prevailed.

### Issues at Stake

In making "every reasonable effort" to come to a workable agreement with the Soviets -- including a direct appeal to Khrushchev -- the President has embraced the central assumption of all those who believe this is the only sane course open to the United States: that a test ban treaty offers the best hope of leading eventually to arms reduction and a relaxation of tensions, and that, conversely, breaking off the talks and resuming testing would intensify the cold war, stimulate the arms race, and doom any chance of arms reduction.

Other arguments made in behalf of continuing the Geneva negotiations include these:

- Failure to achieve agreement among the three current nuclear powers -- the U.S., U.K., and U.S.S.R. -- would pave the way for still other countries to enter the "nuclear club" by developing and testing atomic weapons, as the French have been doing. Proliferation of such weapons among "Nth" countries would render effective arms control all but impossible.

- Resumption of tests by the U.S. would hurt the nation's prestige abroad; since the Soviets are on the defensive in the current stage of negotiations, the U.S. stands to gain more by continuing its pressure than by breaking off the talks.

- The size and variety of the U.S. stockpile of nuclear weapons are more than adequate to satisfy military requirements; given the American lead over the Soviets in weapons technology, the resumption of testing by both sides would benefit the Soviets more than it would the U.S.

Ranged against these arguments are some powerful counter-arguments, advanced by certain Members of Congress, some Air Force officers, and certain scientists, led by Dr. Edward Teller.

- The self-imposed moratorium on testing -- now 30 months old -- has in effect produced the development, sought by the Soviets, of a test ban free of control or inspection. If the Soviets have been cheating -- and one must assume that they have -- they may have made important advances in technology to the detriment of U.S. security interests.

- The longer negotiations continue and the moratorium lasts, the greater will be the potential advantage to the Soviets. By the same token, the U.S. case for international controls will lose force, so long as it appears that a test ban is actually in force without such controls.

- Contrary to assertions about an adequate U.S. stockpile, there is extensive need for further testing to reduce

the size of nuclear warheads and in other ways "improve" the U.S. arsenal in order to maintain full deterrent strength. Among advances suggested as being possible with the assistance of tests is the development of a "neutron" bomb and the miniaturization of ICBM's to the point where they could be scattered by the thousands in moving trucks across the country.

Soviet affairs experts are uncertain as to why the Soviets now appear disinterested in a test ban treaty. Unless he receives some assurance to the contrary from Khrushchev, the President is bound to feel rising pressure at home to call it quits and resume testing.

### TRACTORS

President John F. Kennedy May 24 announced his support for the campaign to buy 500 tractors to exchange for the more than 1,200 men captured in the Cuban invasion attempt April 17. (Weekly Report p. 765)

The President said that while the U.S. Government "has not been and cannot be a party to these negotiations..." and is "putting forward neither obstacles nor assistance to this wholly private effort, I hope that all citizens will contribute what they can." Mr. Kennedy said he had been advised that the Logan Act, which prohibits private citizens from engaging in certain negotiations with foreign governments, did not apply to the present case; that tax deductions would be granted for donations to the campaign; and that export licenses would be granted for the shipment of tractors to Cuba.

Assistant Press Secretary Andrew T. Hatcher and Presidential Assistant Richard N. Goodwin said later the same day that President Kennedy had been instrumental in organizing the "Tractors for Freedom" committee, which consisted of Mrs. Eleanor Roosevelt, Walter Reuther, president of the United Auto Workers, and Milton S. Eisenhower, president of Johns Hopkins University.

The campaign was based on a May 17 speech by Cuban Premier Fidel Castro in which he offered to trade the prisoners captured in the abortive invasion for 500 tractors.

Sen. Homer E. Capehart (R Ind.) May 24 said he was "100 percent opposed" to the exchange. He said "we are setting a precedent for every big and little dictator around the world to blackmail us whenever he feels like it." Sen. Kenneth B. Keating (R N.Y.) May 24 said he questioned the wisdom of the President's statement "since there is danger that it will be misunderstood as Government acquiescence to such an unthinkable deal." Senate majority leader Mike Mansfield (D Mont.) May 24 said the U.S. Government was "not paying tribute of blackmail" but that a group of private citizens were trying "to show a little kindness and brotherliness" by making the collection to free the prisoners. He said the work of the committee has had the effect of demonstrating "Fidel Castro's cynicism -- and that's just what it is -- showing it up with great effect in Latin America."

RELATED DEVELOPMENT -- Sen. Albert Gore (D Tenn.), after leaving an executive meeting of the Latin America Subcommittee of the Senate Foreign Relations Committee in which Gen. Lyman L. Lemnitzer, chairman of the Joint Chiefs of Staff, testified on the role of the Joint Chiefs in the Cuba invasion, May 20 said he had "reached the conclusion on my own that we definitely need a new chairman of the Joint Chiefs of Staff and new members.... All the members should be replaced by new, wiser and abler men." Sen. Wayne Morse (D Ore.), chairman of the Subcommittee, the same day said he had "complete confidence in the Joint Chiefs and their ability...."



## 'FREEDOM RIDER' TENSIONS BRING U.S. MARSHALS TO SOUTH

The testing of desegregation laws by "Freedom Riders" at Southern interstate bus stations led to a racial crisis in the South that remained unresolved at week's end.

Attorney General Robert F. Kennedy May 24 appealed for restraint to prevent further mob violence and asked the Freedom Riders to delay their trips during a "cooling-off period." Earlier the same day, two busloads of white and Negro Freedom Riders had gone from Alabama, focal point of the crisis, into Mississippi where the group of 27 was arrested but turned down offers of bail. On May 25, the Congress of Racial Equality (CORE), which sponsored the first group of Freedom Riders, issued a memorandum calling for further tests at Southern airline and railroad terminals as well as bus stations, and Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People (NAACP) the same day said "there can be no cooling-off period in the effort to obtain one's citizenship rights."

Kennedy May 25 announced withdrawal from Alabama of all but about 100 of more than 600 U.S. marshals and legal officers ordered into the state earlier in the week. The Attorney General said, "It is up to the local citizens to meet their responsibilities and obligations to permit and protect interstate travel, the right of people to dissent and assemble peacefully and to have their rights determined in the courts -- not in the streets."

On Capitol Hill, the crisis led Northern and Southern Congressmen to urge opposite courses of action. The Senate May 25 debated, but took no action, on a resolution (S Con Res 25) introduced May 24 by Sens. Jacob K. Javits (R N.Y.) and Paul H. Douglas (D Ill.) expressing the sense of Congress that the President be supported in any actions taken in connection with civil rights. Opposing the resolution, Sens. Strom Thurmond (D S.C.) and John Stennis (D Miss.) said it would probably incite further trouble. Stennis May 24 introduced a bill (S 1955) to make it a federal offense to travel in interstate commerce with intent to incite to riot. He said the Freedom Riders' "journey was planned to make and arouse trouble." Commenting on the crisis during the week, Sen. Estes Kefauver (D Tenn.) said Alabama officials had "turned their backs on their responsibilities" when the Freedom Riders were attacked. Sen. Harry Flood Byrd (D Va.) said he "deplored" the violence, "but it must be realized that it was deliberately provoked." Rep. George Huddleston Jr. (D Ala.) said the Freedom Riders got "just what they asked for," and called them "self-annointed merchants of racial hatred."

### DEVELOPMENTS SUMMARIZED

Highlights of developments surrounding the Freedom Riders:

May 14-15 -- A bus carrying nine Freedom Riders, who left Washington, D.C., May 4, was stoned and burned outside Anniston, Ala. Another group was attacked and beaten in Birmingham.

May 19 -- An injunction forbidding Freedom Riders from testing bus segregation in Alabama was issued by a Montgomery court.

President Kennedy unsuccessfully tried to telephone Alabama Gov. John Patterson (D), was told he was not available, so discussed the crisis with Lt. Gov. Albert Boutwell.

May 20 -- Patterson, following a meeting in Montgomery with Attorney General Kennedy's administrative assistant, John Seigenthaler, issued a statement that "I have no sympathy for law violators...we cannot escort bus loads or carloads of rabble rousers about our state.... I have no use for these agitators or their kind...." He said his state was "fully able to enforce the laws," had "the duty and the desire to protect human lives no matter who is involved," but "how we will do so is a matter for us to determine."

A mob attacked a second racially mixed group of Freedom Riders as their bus arrived at Montgomery from Birmingham and at least 20 of the group were beaten, including Seigenthaler, when he attempted to aid one of the group.

Attorney General Kennedy ordered some 400 marshals and other armed officers into Alabama to restore order, following a Presidential order to take all necessary action. In a telegram to Patterson, Kennedy said despite precautionary warnings to the Montgomery police department by the FBI that the Freedom Riders were arriving, coupled with a request for protection, "no police were present...however, an armed mob was." Kennedy said because he was told Patterson was out of town when he attempted to call him to see what action he planned, he had no alternative but to take action himself.

President John F. Kennedy the same day issued a statement calling on state officials to "exercise their lawful authority," and said the situation was "of the deepest concern to me." (For text, see p. 884)

Patterson's answer to the Attorney General's action was: "The Federal Government has no constitutional right to intervene unless we ask their assistance."

May 21 -- Patterson telegraphed both the President and the Attorney General demanding removal of federal officers, and wired members of Alabama's congressional delegation to use their influence to this end. He told Deputy U.S. Attorney General Byron R. White the federal officers were "interlopers" and if they violated any state laws they would be arrested.

A jeering mob surrounded a Negro church where NAACP president Martin Luther King Jr. was speaking, hurled fire bombs and smashed cars. The riot led Patterson to proclaim martial law. The State Director of Public Safety asked the Justice Department to send more men to meet an "ugly situation."

May 22 -- Kennedy ordered about 200 more federal officers into Montgomery, partly to relieve those already there, but said he was "not satisfied with the situation." He said he was convinced only the presence of marshals prevented "major bloodshed" at the church the previous night.

May 23 -- Kennedy, in a reply to a message from the Alabama congressional delegation asking withdrawal of U.S. officers, said, "what is needed now is action on the part of Gov. Patterson and local law enforcement officers, not merely words of intention." He said there was "no intention of permitting the marshals to remain in Alabama a minute longer than is necessary."

NAACP president King said the Freedom Riders would continue to New Orleans "with or without federal protection."

May 24 -- The Justice Department instituted court proceedings to enjoin Alabama police officials from

interfering "with the peaceful movement of interstate travel" and accused them of failing to give protection to the Freedom Riders. Those named were Birmingham Police Commissioner Eugene T. Connor and Police Chief Jamie Moore; Montgomery Public Works Commissioner Lester B. Sullivan and Police Chief Goodwin J. Ruppenthal.

Two busloads of Freedom Riders left Montgomery for Mississippi under heavy military and police guard. They were arrested at Jackson, Miss., upon entering a "white" waiting room and charged with breach of peace and disobeying an officer.

May 25 -- Three Negro integration leaders and seven Freedom Riders, including four white college professors and three Negro students, were arrested in Montgomery as they tried to eat lunch at a white lunch counter in the bus station. They were charged with breach of the peace.

## PRESIDENT'S SPECIAL MESSAGE

President Kennedy May 25 called for additional spending in military, space and other programs in a Special Message on Urgent National Needs delivered before a Joint Session of Congress. Highlights:

**ECONOMIC RECOVERY** -- "The recession has been halted. Recovery is under way," but unemployment remained a major challenge, the President said. He proposed a new Manpower Development and Training Program to train, over a four-year period, workers whose skills became obsolete due to industrial change. He also called for further downward adjustments in interest rates, expansion of the lending capacity of the Small Business Administration, reduction of mortgage costs, and enactment of the investment tax credit incentive plan he submitted to Congress earlier to stimulate economic growth. (Weekly Report p. 665)

**FOREIGN ECONOMIC AID** -- Mr. Kennedy said he would submit draft legislation for a new Act for International Development (AID) with a total request of \$2.65 billion including \$250 million for a Presidential Contingency Fund to meet unforeseen emergencies. (For the President's March 22 Special Message on Foreign Aid, see p. 495)

**FOREIGN MILITARY AID** -- To supply increased mobility, modernization, and para-military equipment for nations facing the "rising threat of Communism" he increased his budget request for Military Assistance in fiscal 1962 from \$1.6 billion to \$1.885 billion.

**U.S. INFORMATION AGENCY** -- The President requested that USIA funds be increased to \$121 million in fiscal 1962, in order to step up broadcasts to Latin America and Southeast Asia.

**MILITARY AND SPACE** -- The President requested an additional \$100 million for the Army, \$60 million for the Marine Corps, and \$679 million for space programs beyond his original fiscal 1962 budget requests (for details see p. 876).

**CIVIL DEFENSE** -- The President said he was assigning authority for the civil defense program to the Secretary of Defense and reconstituting the Office of Civil Defense Mobilization as a small staff agency. He said he would request funds for a new civil defense program, probably tripling the pending \$104 million request for fiscal 1962.

**DISARMAMENT** -- To provide more thorough study of the problems of disarmament he said he would soon ask Congress to establish an enlarged and strengthened Disarmament Administration.

Although the requests increased the anticipated deficit spending and Treasury borrowing for fiscal 1962 Mr. Kennedy did not request additional taxes. He requested passage of his previously submitted recommendations on highway taxes, postal rates, and tax-loop-holes, and asked Congress to refrain from adding funds to any programs in excess of his requests.

**REACTIONS** -- Sen. Everett McKinley Dirksen (R Ill.) said Mr. Kennedy had "placed the emphasis on the dangers confronting us as apostles of peace" and made it clear that "what we must do means sacrifice."

Rep. Ken Hechler (D W.Va.) said, "The message set clear-cut national goals in space which will necessitate heavy sacrifices by the American people, but this is the price we must pay for survival."

## NAACP, DU PONT RULINGS

The Supreme Court May 22 unanimously upheld a 1960 temporary injunction, issued by a federal district court in Louisiana, against the enforcement of two Louisiana laws to require the National Assn. for the Advancement of Colored People to reveal its membership lists and to require its local officers to file affidavits that all persons connected with out-of-state branches were non-Communists.

In an opinion by Justice Douglas, the Court said disclosure of NAACP membership lists under a 1924 Louisiana law (the law was passed to curb the Ku Klux Klan) would be a violation of freedom of association guaranteed by the First Amendment, although the Amendment did not give shelter to criminal activities.

The lower court had held that the NAACP, unlike the Klan, was not shown to be dedicated to unlawful intimidation and violence. It held that the law requiring filing of affidavits, passed in 1958, was invalid because no one can swear to something he cannot know.

## DU PONT RULING

In a 4-3 ruling, the Supreme Court May 22 held that E.I. duPont de Nemours & Co. must divest itself of its 63 million shares of General Motors Corp. stock within 10 years, with the details of divestiture to be determined by a federal district court in Chicago.

The Supreme Court in 1957 ruled that DuPont's holding of the GM stock was a violation of the anti-merger provisions of the Clayton Antitrust Act. In 1959, the Chicago district court ruled that transfer of the GM voting rights to DuPont stockholders outside the DuPont family would satisfy the requirements of the 1957 decision. Rejecting this finding in its May 22 ruling, the Supreme Court held that the "influence of the DuPont company would not be completely dissipated" except by total divestiture.

The Court's opinion was written by Justice Brennan, joined by Justices Black, Douglas and Chief Justice Warren. Justices Frankfurter, Whittaker and Stewart dissented and Clark and Harlan abstained.

**RELATED DEVELOPMENT** -- May 22 -- DuPont President Crawford H. Greenewalt said the Supreme Court decision "creates an urgent need for Congressional action" to protect DuPont stockholders from a potential \$1 billion income tax burden if the GM shares are distributed to them as individuals to meet the divestiture requirements. (For background on proposed divestiture relief legislation, see 1960 Almanac p. 366)

## UNION LOBBYING CHALLENGED IN PENDING COURT CASE

A question with far-reaching implications for the future of American politics is now before the Supreme Court and may be decided shortly.

In a case argued earlier this year and now under advisement (*International Assn. of Machinists v Street and Looper*), the Court has been asked to answer this question:

May a union spend dues money, which was collected from persons who were compelled to join the union by a union-shop contract, to promote legislative and political goals opposed by those persons?

Involved in the larger issue are several smaller questions on which the Court's ruling may turn and which may break new ground in American politics: Are union legislative and political activities in general "germane to collective bargaining" and therefore permissible? If the general answer is yes, which specific activities are germane and which are not? And even if all activities now being engaged in are permissible, should individual members who disagree with a union's political and legislative program be required to help pay for that program or should a portion of their dues be returned to them?

This Fact Sheet gives the background to the case.

### Legal History

In 1951 Congress amended the Railway Labor Act, the basic federal law governing labor-management relations in the railway industry. The amendment added a section (45 USC 152, 11th) permitting union-shop contracts in the industry. The section stated that regardless of any existing or future state laws to the contrary, contracts could be concluded between a union and railway requiring all employees of the company, as a condition of continued employment, to join the union within 60 days after the contract went into effect.

In 1953 the International Assn. of Machinists and 14 other unions concluded two union-shop contracts with nine railroads constituting the Southern Railway System. The contracts required all employees to join the union and pay dues or lose their jobs.

On June 5, 1953, eight employees of the Southern Railway System filed suit in Georgia against both the unions and the System to enjoin enforcement of the contracts. They charged that the requirement that they join the unions or lose their jobs violated their rights to work and contract for themselves and thereby deprived them of property and rights without due process of law in violation of the 5th and 14th Amendments to the U.S. Constitution. (The 5th and 14th Amendments bar the federal or state governments from acting without due process of law; since the union-shop contracts were sanctioned by federal law and enforceable under it, it was the Government in effect that was depriving the individuals of their rights, the argument ran.)

While preliminary proceedings in the case were under way, the U.S. Supreme Court May 21, 1956, in the *Hanson*

case, handed down a ruling that decided some of the very issues that had been raised by the eight employees in the *IAM* case. The Court held that the union-shop contract under the Railway Labor Act was valid and did not constitute deprivation of rights. However, the Court specifically reserved judgment as to the validity of a union-shop contract if dues or assessments collected from union members under such a contract were "used as a cover for forcing ideological conformity or other action in contravention of the 1st or 5th Amendment." (The 1st Amendment guarantees freedom of speech and thought.)

Following the *Hanson* decision, S.B. Street, Nancy M. Looper and the other plaintiffs in the *IAM* case amended their charges.

They then said that the union dues they would be required to pay would be used "in substantial part for purposes not germane to collective bargaining but to support ideological and political doctrines and candidates which plaintiffs are not willing to support."

This, they charged, violated their rights to freedom of speech and thought under the 1st Amendment and their right to contract freely under the 5th. They said that if the Railway Labor Act permitted such violations, it was clearly unconstitutional.

Among the practices to which Street, Looper and the other plaintiffs objected (during the proceedings, two plaintiffs dropped out, leaving six) were these:

Union dues were used by local unions to support promotion of legislation in the state legislature; dues were used by the national unions to which the locals belonged for contributions to the AFL-CIO, which in turn used the money for its legislation department in the Nation's capital; contributions were also made to the AFL-CIO's Committee on Political Education, for general political education programs; dues were also used for contributions to Railway Labor's Political League for educational work; dues were used in part to support the newspaper *Labor*. In a number of cases, it was alleged, the various recipients of the dues money endorsed political candidates or legislation opposed by Street, Looper and the others.

There was no allegation that the unions would use the dues money, or had used it, for illegal political activities. (Under the Taft-Hartley Act, unions may not make direct contributions from dues receipts to primary or electoral candidates for federal offices (18 USC 610); under various state laws, such contributions are forbidden for state campaigns, although some states permit them.)

The Street and Looper case was initially decided Dec. 8, 1959 by the Bibb Superior Court, Bibb County, Ga. The court ruled:

- The use of union dues for legislative and political purposes "is not reasonably necessary to collective bargaining."

- The use of union dues collected compulsorily from Street and Looper under the union-shop contract for the political and legislative purposes which they opposed in



effect imposed on the complainants ideologies and doctrines against their will and constituted interference with their freedom of thought and freedom to contract freely. Their freedom of association, freedom of thought, speech and freedom to work were abridged (1st, 5th, 9th and 10th Amendments).

Consequently, the Court held that "to the extent that it permits or is applied to permit the exaction of funds from plaintiffs...for the complained-of purposes and activities set forth above," the union-shop provision of the Railway Labor Act was unconstitutional. The Bibb County Superior Court therefore enjoined the unions from using any money for any of the purposes outlined above, and also enjoined the enforcement of the union-shop provision.

Moreover, it said, the plaintiffs were entitled to get back from the union the dues they had paid in; the court ordered damages paid.

On May 8, 1959, the Supreme Court of Georgia sustained the ruling of the Bibb County court. On the two key points of the ruling, the Georgia court held as follows:

1. Freedom of speech, 1st Amendment: "One who is compelled to contribute the fruits of his labor to support or promote political or economic programs, or support candidates for public office, is just as much deprived of his freedom of speech as if he were compelled to give his vocal support to doctrines he opposes."

2. Freedom of contract, 5th Amendment: Congress, both in the Railway Labor Act and the National Labor Relations Act has recognized that it is "obnoxious to the employee's freedom to contract" to be required not to join a union as a condition of employment (and therefore has outlawed the yellow-dog contract); clearly, "the requirement by the employer, based on an act of the federal Congress, that one in his employ, as a condition of continued employment, would be compelled to join the union and pay dues, fees and assessments which will be used in part for the support of ideologies he opposes, is likewise violative of his freedom to contract under the 5th Amendment."

## Union Position

The unions are attacking the Georgia decision on a number of grounds, and it is they who have appealed the ruling to the Supreme Court, seeking a reversal.

Aside from jurisdictional questions (the unions have raised a number of such questions and it is conceivable the Supreme Court will decide the case on jurisdictional grounds rather than substantive), the unions make two major arguments. They do not deny that the dues are used in part for legislative and political purposes, but they argue:

1. "Legislative and political activities are germane to collective bargaining. Especially in the railroad industry, many of the most vital conditions and benefits of employment are determined by legislation or strongly influenced by legislative and political results."

One union brief presented to the Supreme Court quoted the words of Sen. Wayne Morse (D Ore.) during June 16, 1958 debate on an amendment, offered on the Senate floor by then-Sen. Charles E. Potter (R Mich. 1952-59), that would have permitted lawsuits for recovery of union dues not used solely for collective bargaining and related activities. Said Morse:

"But...have we reached the point where a group of men and women (belonging to a union), who know that a single session of a city council or state legislature can wipe away a great many of the rights which over the years they have earned the hard way in the field of labor relations, cannot take any interest in political affairs? Have we really reached the point, for example, where a union cannot conduct a program...in support of widened coverage...of a Fair Labor Standards Act which many unions favor?"

The amendment was defeated, 30-51, and unions say the fact that it was offered and rejected proves that Congress recognized that union dues could lawfully be used for purposes broader than direct collective bargaining. (1958 Almanac p. 197)

2. The unions also argue that the position of Street and Looper and the Georgia courts ignores the principle of majority rule that obtains in social institutions from the Federal Government down throughout the United States. In essence, the unions say, the Street-Looper argument depends on the proposition that the minority should have an absolute veto over the actions of the whole group. Within a union, members elect their officers who are charged with carrying out the general purposes of the union to the best of their judgment, and if that includes legislative activities, then individual members should not be permitted to hamstring action because they do not agree with this or that policy, or withdraw support because they do not agree with a majority decision.

## Court Alternatives

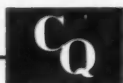
Unless it sends the case back to the lower courts on some technical grounds, and avoids a decision on the central issues, the Supreme Court appears likely, in deciding the Street-Looper case, to reaffirm the constitutionality of the Railway Labor Act and its union-shop provision.

It must then decide the central issues: whether political and legislative activities in general are germane to collective bargaining, and if so, which activities are germane and which are not; and whether individuals required to join a union under a union-shop contract can be required to contribute to the promotion of doctrines they oppose.

A decision against the union position would have vast consequences, since it could strike down not only political and legislative spending by unions operating under the Railway Labor Act, but also, in all probability, by unions operating under the National Labor Relations (Taft-Hartley) Act -- that is, most of the unions in the country.

Such a decision might well mean that unions could no longer support legislative departments on Capitol Hill or in the state capitals, would have to refrain from discussing issues or candidates in union newspapers and literature. On the other hand, it might conceivably mean that unions would have to figure out how many cents per dollar of dues they spent on legislative and political activities and then return that amount to each worker operating under a union-shop contract who complained that the activities espoused policies and candidates he opposed. The Court might conceivably choose this latter course as the only way of reconciling the unions' claim that legislative activities are germane to collective bargaining aims with Street and Looper's claim that their right of free speech is being abridged.





## Presidential Report

### TEXT OF PRESIDENT'S LETTER ABOUT SACRIFICING FOR U.S.

Following is the text of a letter, released May 15, from President Kennedy to Alicia Patterson, editor and publisher of the Long Island newspaper, *Newsday*, in response to a request to specify the sacrifices he was asking of Americans:

Many thanks for your wire of May 4. I appreciate your interest in our nation's needs and the spirit that motivates your telegram.

Apparently the demands of the "cold war" are not as dramatic, and thus not as well identified, as the demands of the traditional "shooting war" -- such as rationing (which we do not need), a doubling of draft quotas (which would not help), or an increase in personal income taxes (which would only impede the recovery of our economic strength).

But that does not mean that nothing is being asked of our citizens. The facts of the matter are that all the programs I am seeking to strengthen our economy, our defenses, our image abroad, our balance-of-payments position and our foreign policy tools -- all make demands upon one or more groups of Americans, and most often upon all Americans jointly. All of them involve some effort, some inconvenience, or some sacrifice -- and, indeed, they are being opposed in some quarters on that basis.

#### DEFENSE BASES CUT BACK

For example: I have asked that we provide a leaner, more efficient defense establishment by terminating certain projects and closing a good many bases, although there are many protests from those who want economy practiced in someone else's community. I have asked that a major effort in foreign aid to other nations be maintained for many years to come, as burdensome as some regard it. I have asked young Americans to serve without pay or comfort in a Peace Corps for under-developed countries; I have asked many talented individuals to give up a higher income to serve their country in public office (and not all have been willing to do so); and I have asked all Government officials to give up any incompatible financial interest.

I have asked that our excise and corporation tax rate not be permitted to fall as scheduled by law -- that trucking companies and jet airline companies pay a higher tax for the highways and airways they use -- that our business corporations pay a higher payroll tax for improved Social Security, unemployment compensation and health insurance -- and that certain taxpayers give up their privileges of expense account living in yachts, hunting lodges, night clubs, and all the rest. I have asked all Americans to help meet our deficit through higher postal rates.

These requests for sacrifice are being strongly resisted by some unwilling to pay the price of national greatness.

#### ECONOMIC APPEALS NOTED

I have asked other Americans to contribute to the strengthening of our economy by paying a decent minimum wage -- or to give up their rights to purchase as many duty-free goods when they are traveling abroad -- or, if they are farmers, to accept the limitations of our feed grain program. I have asked our business men and labor leaders, through my advisory committee, to adopt price and wage levels consistent with our economic goals and need to compete; and, more directly, I have asked them to take steps that will avoid harmful work stoppages in our missile and space effort.

I have asked the newspaper industry, without much success, to exercise more self-restraint in publishing intelligence data helpful to any enemy. My messages on education, urban affairs and natural resources have all stressed the role the local community must assume if we are to make the most of our schools, our cities and our water and other resources. We have made clear our very strong request to employers, labor unions, and indeed all citizens for an end to racial discrimination.

I have tried to make the whole tone and thrust of this office and this Administration one that will demand a higher standard of excellence from every individual in his private life -- in his education, his physical fitness, his attitudes toward foreign visitors, his obligations as a citizen, and all the rest.

And finally, each time we make any move or commitment in foreign affairs, I am in need of the support of the American people, their understanding, their patience, their willingness to endure setbacks, and risks and hardships in order that this country can regain leadership and initiative.

So, I have asked quite a lot of the American people -- and I have been gratified at their response. There is much more to be done. But I do not wish to be misinterpreted. I think we have the will as well as the resources to prevail. And I think we will.

### ALABAMA STATEMENT

Following is the text of a May 20 statement by President Kennedy on the Alabama situation. (See p. 879)

The situation which has developed in Alabama is a source of the deepest concern to me as it must be to the vast majority of the citizens of Alabama and other Americans. I have instructed the Justice Department to take all necessary steps based on their investigations and information. I call upon the Governor and other responsible State officials in Alabama as well as the Mayors of Birmingham and Montgomery to exercise their lawful authority to prevent any further outbreaks of violence. I would also hope that any persons, whether a citizen of Alabama or a visitor there, would refrain from any action which would in any way tend to provoke further outbreaks. I hope that state and local officials in Alabama will meet their responsibilities. The United States Government intends to meet its.

### JUDGESHIP BILL

Following is the text of a May 19 statement by the President upon signing the Federal Judgeship Bill: (Weekly Report p. 756)

I am delighted to sign this needed legislation. It authorizes 73 new judicial positions in the District Courts and in the Courts of Appeal.

I believe it will permit a major improvement in the effectiveness of our judicial system. The present congestion in the Federal courts has seriously delayed the prompt administration of justice. In a Nation like ours, which lives by the rule of law -- not men -- the effectiveness of the Judicial Branch of the Government is of critical importance -- and nothing contributes more toward ineffectiveness than delay.

From the earliest days of the Nation, all administrations, of every political shade, have been mindful of the importance of nominating and confirming judges who will be a credit to our citizenry, and an assurance to our litigants of a high standard of professional performance.

I want to take this opportunity to say that for our federal courts I shall choose men and women of unquestioned ability. I want for our courts individuals with respected professional skill, incorruptible character, firm judicial temperament, the rare inner quality to know when to temper justice with mercy, and the intellectual capacity to protect and illuminate the Constitution and our historic values in the context of a society experiencing profound and rapid change.

This is the first increase in the Federal judiciary since 1954. It resulted largely from the study and recommendations of the Judicial Conference. I am grateful to the Conference for its contribution and to the House and Senate leadership for the dispatch with which this legislation was handled.

## DISCLOSURE ACT CHANGES

Following is the text of a May 10 letter from the President to the President of the Senate and the Speaker of the House requesting amendments to the 1958 Welfare and Pension Plans Disclosure Act.

Dear Mr. President: (Dear Mr. Speaker:)

Since the enactment of the Welfare and Pension Plans Disclosure Act of 1958 we have had an opportunity to study its operation and effect. This has disclosed several serious deficiencies. I am transmitting herewith for appropriate consideration by the Congress a draft bill designed to correct these deficiencies.

The proposed legislation will give the Secretary of Labor the investigative and enforcement authority which he needs to implement the legislation and make it effective. In addition, it will authorize the Secretary of Labor to provide uniform interpretations and clarify existing ambiguities.

The Welfare and Pension Plans Disclosure Act is designed to prevent repetition of abuses and irregularities in the administration of employee benefit plans. I believe these amendments are necessary to carry out that purpose.

The enclosed letter from the Secretary of Labor and the explanatory statement attached to the proposal describe the measure in detail.

Sincerely,  
John F. Kennedy

## D.C. VOTING

Following is the text of a May 16 message from the President to the President of the Senate and the Speaker of the House transmitting draft legislation to implement voting rights in the District of Columbia:

Dear Mr. President: (Dear Mr. Speaker:)

I am pleased to transmit to the Congress draft legislation implementing the 23rd Amendment to the Constitution, providing for voting by the residents of the District of Columbia in Presidential elections.

The passage of the 23rd Amendment by the Congress and its remarkably prompt ratification by the required number of States reaffirms the belief of the people of the entire Nation in the basic principle that government must be responsible to those governed. I take special pride, therefore, in submitting this proposal to permit the greatest possible number of citizens of the District of Columbia to share with their fellow Americans the basic right to vote for President and Vice President of the United States.

I hope that prompt and favorable action will be taken by the Congress on the proposed legislation so that the long-standing aspirations of the citizens of the District of Columbia to participate in national elections finally will become a reality.

In addition to the draft bill, I am enclosing a letter from the President of the Board of Commissioners of the District of Columbia describing this legislation in detail. A similar letter has been sent to the Speaker.

Sincerely,  
John F. Kennedy

## FOREIGN STUDENTS

Following is the partial text of President Kennedy's remarks at a May 10 reception for foreign students on the White House lawn:

We are an open and free society. All of our strengths and weaknesses are on display. They are a matter of discussion. Those of us who hold high office and high responsibilities are subject to all of the scrutiny -- the careful scrutiny -- which comes from a free press and a free people, operating within an open society.

That is the way this country was planned, and I hope that those of you who study here will come to realize that this diversity, this division, in some cases this dissension, is not a source of weakness but is a source of strength.

Upon it rests the security of each individual in this country, so that when you come here and when you study and when you teach us, I hope that you will go away not merely expressing doubts because we have been unable to reach our high aspirations, but also recognizing that those high aspirations represent the ultimate goals of our society. And where we fall short, we know it -- and we mean to do better.

## OTHER STATEMENTS

For previous statements, see Weekly Report p. 824.

May 9 -- Message to Congress transmitting Reorganization Plan No. 4 of 1961, providing for reorganization of the Federal Trade Commission. The plan was similar to Reorganization Plan No. 1. (Weekly Report p. 778).

May 10 -- Announcement that the U.S. had agreed to help Tunisia meet a grain production deficit by providing food and feed grains under the U.S. Food For Peace program.

May 11 -- Proclamation establishing the Russell Cave Monument in Alabama.

May 11 -- Letter to the Speaker of the House transmitting proposed supplemental appropriations of \$48,024,000 for fiscal 1961 for various agencies in the Executive Branch, including \$32,240,000 to cover the U.S. assessment for U.N. operations in the Congo, Jan.-Oct. 1961.

May 11 -- Letter to the Speaker of the House transmitting a proposed \$100,000 increase in the fiscal 1962 budget for the Securities and Exchange Commission to provide additional personnel for investigations.

May 12 -- Announcement that the Government would establish a Mission to the Federation of the West Indies headed by Foreign Service Officer Ivan B. White.

May 13 -- Announcement that the President had authorized the Surgeon General of the Public Health Service to establish a consultant group on nursing. The announcement said the group, comprising 22 persons under the chairmanship of Dr. Alvin C. Eurich, vice president of the Fund for the Advancement of Education of the Ford Foundation, was expected to report to the Surgeon General Jan. 1, 1962 on a program to meet the nation's acute nursing shortage.

May 13 -- Announcement that the Post Office Department would issue a four-cent commemorative postage stamp July 11 to mark the centenary of the birth of the late Sen. George W. Norris (R Neb., Rep. 1903-13, Sen. 1913-43).

May 13 -- Announcement of the designation of March 6-8, 1962 for the next biennial meeting of the President's Conference on Occupational Safety.

May 14 -- Announcement that Bolivia President Victor Paz Estenssoro had accepted a U.S. offer to assist in a long range economic program, and release of letter to Paz setting forth the \$10 million program.

May 14 -- Message to a gathering of Cuban mothers in Miami that "The American people will never forget the people of Cuba."

May 16 -- Message sent to the Conference of African States on Development of Education under the auspices of UNESCO and the Economic Commission for Africa stating U.S. readiness to assist in a program to meet educational needs of Africa.

May 16 -- Announcement of the second Peace Corp project in which 64 volunteers will be trained and assigned in small farming, handicraft, rural construction and sanitation in Colombia. (Weekly Report p. 732)

May 16 -- Executive Order No. 10940 designating certain officers to act as Secretary of the Treasury in case of the death, resignation, absence or sickness of the Secretary and the Under Secretary.

May 16 -- Remarks on arrival at the Royal Canadian Air Force Terminal Uplands Airport, Ottawa, Canada.

May 16 -- Joint Communique after a meeting between the President and Dr. Walter Hallstein, president of the European Economic Community. Mr. Kennedy reaffirmed the "strong support of the U.S. Government for the European Economic Community and the movement toward European integration as envisaged by the Treaty of Rome."

May 16 -- Proclamation designating the week beginning May 14, 1961 as National Transportation Week.

May 17 -- Letter to the Director, Office of Civil and Defense Mobilization authorizing \$800,000 plus administrative expenses to assist parts of the State of Arkansas designated disaster areas as a result of damage by floods and tornadoes in April.

May 17 -- Announcement that the President had directed the Department of Commerce to release immediately more than \$818 million of Federal-aid highway funds which would not normally have become available to the States until July 1. (Weekly Report p. 863).

## PUBLIC LAWS

## Public Law 87-31

HR 4844 -- Authorize federal financial participation in aid to dependent children of unemployed parents. MILLS (D Ark.) -- 2/27/61 -- House Ways and Means reported Feb. 27, 1961. House passed March 10, 1961. Senate Finance reported April 14, 1961. Senate passed, amended, April 20, 1961. House agreed to conference report April 26, 1961. Senate agreed to conference report April 27, 1961. President signed May 8, 1961.

## Public Law 87-32

HR 1372 -- Extend until June 28, 1961 the date of completion of plans for observance of the 175th anniversary of the Constitution. BYRNE (D Pa.) -- 1/4/61 -- Discharged from House Judiciary by unanimous consent. House passed Jan. 4, 1961. Senate Judiciary reported April 27, 1961. Senate passed May 3, 1961. President signed May 15, 1961.

## Public Law 87-33

S 1372 -- Authorize the release and reapportionment of pooled acreage allotments. SPARKMAN (D Ala.), Hill (D Ala.) -- 3/16/61 -- Senate Agriculture and Forestry reported April 19, 1961. Senate passed April 20, 1961. House Agriculture reported May 8, 1961. House passed, amended, May 10, 1961. Senate agreed to House amendments May 11, 1961. President signed May 16, 1961.

## Public Law 87-34

H J Res 143 -- Authorize the President to proclaim in May of each year National Transportation Week. HARRIS (D Ark.) -- 1/16/61 -- House Judiciary reported March 15, 1961. House passed April 11, 1961. Senate Judiciary reported May 11, 1961. Senate passed May 16, 1961. President signed May 16, 1961.

## Public Law 87-35

HR 2195 -- Convey certain land of the Pala Band of Indians to the Diocese of San Diego Education & Welfare Corp. UTT (R Calif.) -- 1/6/61 -- House Interior and Insular Affairs reported March 28, 1961. House passed April 11, 1961. Senate Interior and Insular Affairs reported May 9, 1961. Senate passed May 11, 1961. President signed May 19, 1961.

## Public Law 87-36

S 912 -- Provide for the appointment of additional circuit and district judges. MANSFIELD (D Mont.), Eastland (D Miss.), Johnston (D S.C.) -- 2/13/61 -- Senate Judiciary reported Feb. 28, 1961. Senate passed March 3, 1961. House Judiciary reported March 29, 1961. House passed, amended, April 19, 1961. House and Senate agreed to conference report May 4, 1961. President signed May 19, 1961.

## BILLS INTRODUCED

CQ's eight subject categories and their subdivisions:

- |                                |                               |
|--------------------------------|-------------------------------|
| 1. AGRICULTURE                 | Indians, D.C., Territories    |
| 2. APPROPRIATIONS              | Judiciary                     |
| 3. EDUCATION & WELFARE         | Commemorative                 |
| Education                      | 6. NATIONAL SECURITY          |
| Health                         | Armed Services & Defense      |
| Welfare                        | Atomic Energy & Space         |
| Housing                        | 7. PUBLIC WORKS & RESOURCES   |
| Veterans                       | Lands                         |
| 4. FOREIGN POLICY              | Resources & Public Works      |
| International Affairs          | 8. TAXES & ECONOMIC POLICY    |
| Immigration                    | Economic Policy & Regulations |
| 5. GENERAL GOVERNMENT          | Commerce                      |
| Congress                       | Labor                         |
| Constitution & Civil Liberties | Transportation                |
| Government Operations          | Taxes                         |
| Post Office & Civil Service    | Tariffs                       |

Within each category are Senate bills in chronological order followed by House bills in chronological order. Bills are described as follows: Bill number, brief description of provisions, sponsor's name, date introduced and committee to which bill was assigned. Bills sponsored by more than one Senator are listed under the first sponsor, with additional sponsors listed. Private bills are not listed.

In the House identical bills are sponsored by several Members but each bill has only one sponsor and one number. In such cases only the first bill introduced -- that with the lowest bill number -- is described in full. Bills introduced subsequently during the period and identical in nature are usually cited back to the earliest bills. Private bills are not listed.

## Tally of Bills

The number of measures -- public and private -- introduced in the 87th Congress from Jan. 3, 1961, through May 19, 1961.

Public bills listed this week:

	Senate	House
Bills	1,924	7,207
Joint Resolutions	91	430
Concurrent Resolutions	24	314
Simple Resolutions	150	305
<b>TOTAL</b>	<b>2,189</b>	<b>8,256</b>

Bills S 1858 - 1924  
HR 7035 - 7198

## Resolutions

S J Res 88 - 91  
S Con Res - none  
S Res 145 - 150  
H J Res 424 - 430  
H Con Res 304 - 314  
H Res 289 - 305

## 1. Agriculture

## SENATE

- S 1865 -- Amend Agricultural Adjustment Act of 1938, as amended. FULLBRIGHT (D Ark.), McClellan (D Ark.), Cooper (R Ky.), Eastland (D Miss.), Kefauver (D Tenn.), Symington (D Mo.), Stennis (D Miss.) -- 5/15/61 -- Agriculture and Forestry.
- S 1873 -- Amend "An Act to authorize the Commodity Credit Corporation to donate dairy products and other agricultural commodities for use in home economics courses," to permit use of donated foods under certain circumstances for training college students. YOUNG (R N.D.) -- 5/16/61 -- Agriculture and Forestry.
- S 1875 -- Amend Watershed Protection and Flood Prevention Act to eliminate exclusion of structures having in excess of 5,000 acre feet of floodwater detention capacity. YOUNG (R N.D.) -- 5/16/61 -- Agriculture and Forestry.
- S 1904 -- Amend Watershed Protection and Flood Prevention Act to not exclude from benefits areas which include structures of 10,000 or less acre-feet of floodwater detention capacity. BURDICK (D N.D.) -- 5/17/61 -- Agriculture and Forestry.

- S 1908 -- Provide national hog cholera eradication program. TALMADGE (D Ga.), Hickenlooper (R Iowa), Mundt (R S.D.), Young (R N.D.), Hart (D Mich.), Eastland (D Miss.), Holland (D Fla.), McCarthy (D Minn.) -- 5/18/61 -- Agriculture and Forestry.

## HOUSE

- HR 7059 -- Authorize Secretary of Agriculture, without prior determination by President, to furnish emergency assistance of feed grain and seeds to farmers, ranchers, and stockmen in certain localized disasters. McSWEEN (D La.) -- 5/15/61 -- Agriculture.
- HR 7060 -- Amend Perishable Agricultural Commodities Act, 1960 re practices in marketing perishable agricultural commodities. MATTHEWS (D Fla.) -- 5/15/61 -- Agriculture.
- HR 7064 -- Assist States to provide additional facilities for research at State agricultural experiment stations. REIFEL (R S.D.) -- 5/15/61 -- Agriculture.
- HR 7116 -- Further amend Federal Farm Loan Act and Farm Credit Act of 1963, as amended. COOLEY (D N.C.) -- 5/16/61 -- Agriculture.
- HR 7133 -- Similar to HR 7116. McINTIRE (R Maine) -- 5/17/61.

- HR 7159 -- Amend Watershed Protection and Flood Prevention Act to eliminate exclusion of structures having an excess of 5,000 acre-feet of flood water capacity. NYGAARD (R N.D.) -- 5/17/61 -- Agriculture.  
 HR 7176 -- Provide national hog cholera eradication program. GRANT (D Ala.) -- 5/18/61 -- Agriculture.  
 HR 7177 -- Similar to HR 7176. HARVEY (R Ind.) -- 5/18/61.

## 2. Appropriations

### HOUSE

- HR 7035 -- Make appropriations for Department of Labor, and Health, Education and Welfare, and related agencies for fiscal year ending June 30, 1962. FOGARTY (D R.I.) -- 5/15/61 -- Appropriations.

## 3. Education and Welfare

### EDUCATION

#### HOUSE

- HR 7083 -- Similar to HR 6475. COHELAN (D Calif.) -- 5/16/61.  
 HR 7086 -- Similar to HR 6476. COHELAN (D Calif.) -- 5/16/61.  
 HR 7105 -- Similar to HR 6447. QUITE (R Minn.) -- 5/16/61.  
 HR 7106 -- Similar to HR 6447. GOODELL (R N.Y.) -- 5/16/61.  
 HR 7118 -- Authorize wider distribution of books and other special instructional materials for blind, increase appropriations authorized for this purpose. DANIELS (D N.J.) -- 5/16/61 -- Education and Labor.  
 HR 7149 -- Provide continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica. ZABLOCKI (D Wis.) -- 5/17/61 -- Interior and Insular Affairs.  
 HR 7175 -- Amend act re expansion of teaching of mentally retarded children to make it applicable to other areas of exceptionality. FOGARTY (D R.I.) -- 5/18/61 -- Education and Labor.  
 HR 7188 -- Authorize a 3-year program of federal financial assistance to States having limited financial resources for constructing school facilities. MacGREGOR (R Minn.) -- 5/18/61 -- Education and Labor.  
 HR 7196 -- Provide additional funds for education in States without federal direction, control, or interference. PIRNIE (R N.Y.) -- 5/18/61 -- Ways and Means.

### HEALTH

#### HOUSE

- HR 7088 -- Similar to HR 6480. COHELAN (D Calif.) -- 5/16/61.  
 HR 7137 -- Expand and improve community facilities and services for health care of aged. ELLSWORTH (R Kan.) -- 5/17/61 -- Interstate and Foreign Commerce.

### WELFARE

#### SENATE

- S 1863 -- Establish senior citizens service training program. McNAMARA (D Mich.) -- 5/15/61 -- Labor and Public Welfare.  
 S 1872 -- Amend title II of Social Security Act to increase to \$1,800 annual amount individuals are permitted to earn without suffering deductions from their social security benefits. JORDAN (D N.C.) -- 5/16/61 -- Finance.  
 S 1893 -- Protect right of blind to self-expression through organizations of blind. HUMPHREY (D Minn.) -- 5/17/61 -- Labor and Public Welfare.  
 S 1913 -- Permit an individual who retired before September 1954 under the federal old-age and survivors insurance program to have his benefit amount recomputed, without acquiring any additional coverage, to take advantage of the dropout provisions in title II of Social Security Act. COTTON (R N.H.) -- 5/17/61 -- Finance.

#### HOUSE

- HR 7040 -- Amend Welfare and Pension Plans Disclosure Act to clarify technical information required by section 7. DENT (D Pa.) -- 5/15/61 -- Education and Labor.  
 HR 7041 -- Similar to HR 4807. HEALEY (D N.Y.) -- 5/15/61.  
 HR 7047 -- Similar to HR 7040. SAYLOR (R Pa.) -- 5/15/61.  
 HR 7055 -- Similar to HR 10. GOODELL (R N.Y.) -- 5/15/61.  
 HR 7098 -- Amend title II of Social Security Act to increase from \$1,200 to \$1,800 amount of outside earnings permitted each year without deductions from benefits. KING (R N.Y.) -- 5/16/61 -- Ways and Means.  
 HR 7101 -- Similar to HR 10. MATHIAS (R Md.) -- 5/16/61.  
 HR 7172 -- Extend benefits of Panama Canal Construction Service Annuity Act of May 29, 1944, to certain individuals. CLARK (D Pa.) -- 5/18/61 -- Merchant Marine and Fisheries.

- HR 7178 -- Provide Federal assistance for projects to evaluate and demonstrate techniques and practices for solution of prevention and control of juvenile delinquency and youth offenses and provide training of personnel for work in these fields. GREEN (D Ore.) -- 5/18/61 -- Education and Labor.  
 HR 7187 -- Similar to HR 10. LIPSCOMB (R Calif.) -- 5/18/61.  
 HR 7191 -- Strengthen Federal Firearms Act. MILLS (D Ark.) -- 5/18/61 -- Ways and Means.  
 HR 7192 -- Similar to HR 7191. KING (D Calif.) -- 5/18/61.

### HOUSING

#### SENATE

- S 1858 -- Amend section 105(b) of Housing Act of 1949. KEFAUVER (D Tenn.) -- 5/15/61 -- Banking and Currency.  
 S 1922 -- Assist in provision of housing for moderate and low income families, promote orderly urban development, extend and amend laws re housing, urban renewal, and community facilities. SPARKMAN (D Ala.) -- 5/19/61 -- Calendar.  
 S J Res 89 -- Amend section 217 of National Housing Act to provide an interim increase in authorization for insurance of mortgages by Federal Housing Administration. SPARKMAN (D Ala.) -- 5/16/61 -- Banking and Currency.

### VETERANS

#### HOUSE

- HR 7048 -- Similar to HR 7024. BURKE (D Ky.) -- 5/15/61.  
 HR 7080 -- Authorize gratuitous benefits for a remarried widow of a veteran upon termination of her remarriage. ADAIR (R Ind.) -- 5/16/61 -- Veterans' Affairs.  
 HR 7093 -- Provide that social security benefits and other annuities not be considered income for determining eligibility of individuals for pension. DENTON (D Ind.) -- 5/16/61 -- Veterans' Affairs.  
 HR 7094 -- Provide that up to \$10,000 in payments under policies of life insurance not be considered income for determining eligibility of individuals for pension. DENTON (D Ind.) -- 5/16/61 -- Veterans' Affairs.  
 HR 7121 -- Extend wartime rates of compensation to veterans and dependents for service-connected disabilities incurred during periods when individuals may be inducted for service in military or naval service outside continental limits of the U.S. O'KONSKI (R Wis.) -- 5/16/61 -- Veterans' Affairs.  
 HR 7148 -- Equalize provisions of title 38, USC, re transportation of remains of veterans who die in Veterans' Administration facilities to place of burial. TEAGUE (D Texas) (by request) -- 5/17/61 -- Veterans' Affairs.

## 4. Foreign Policy

### INTERNATIONAL AFFAIRS

#### SENATE

- S 1891 -- Appoint U.S. permanent representative to the Organization for Economic Cooperation and Development. JAVITS (R N.Y.) -- 5/17/61 -- Foreign Relations.  
 S 1909 -- Amend section 17 of War Claims Act of 1948 to authorize rehearing of certain claims. ERVIN (D N.C.) -- 5/18/61 -- Judiciary.  
 S 1916 -- Provide certain aircraft may travel between the U.S. and Canada without requiring owners or operators to reimburse the U.S. for extra compensation paid customs officers and employees. MAGNUSON (D Wash.) -- 5/19/61 -- Finance.

#### HOUSE

- HR 7046 -- Reimburse New York City for portion of police department costs providing protection to the UN and delegates. RYAN (D N.Y.) -- 5/15/61 -- Foreign Affairs.  
 HR 7079 -- Similar to HR 2538. ADAIR (R Ind.) -- 5/16/61.  
 HR 7102 -- Create American Export Credits Guaranty Corporation. MULTER (D N.Y.) -- 5/16/61 -- Banking and Currency.  
 HR 7103 -- Similar to HR 7102. WIDNALL (R N.J.) -- 5/16/61.  
 HR 7119 -- Similar to HR 2033. DANIELS (D N.J.) -- 5/16/61.  
 HR 7152 -- Provide that Secretary of State shall manage Ellis Island as a public national memorial to immigrants to the U.S. FARBERSTEIN (D N.Y.) -- 5/17/61 -- Foreign Affairs.  
 HR 7170 -- Provide certain restrictions re broadcasting of foreign-made and controlled programs. CELLER (D N.Y.) -- 5/18/61 -- Interstate and Foreign Commerce.  
 H Con Res 313 -- Express sense of Congress that annual reports should be made by the UN re international economic assistance furnished to less developed nations. FARBERSTEIN (D N.Y.) -- 5/17/61 -- Foreign Affairs.  
 H Con Res 314 -- Request President to instruct the U.S. Mission to the UN to seek adoption of proposals penalizing members of the UN in default in meeting financial obligations under UN Charter. FARBERSTEIN (D N.Y.) -- 5/17/61 -- Foreign Affairs.



H Res 298 -- Express continued opposition of House of Representatives to admission of Communist China regime to United Nations. SAYLOR (R Pa.) -- 5/17/61 -- Foreign Affairs.

# IMMIGRATION NO INTRODUCTION

## 5. General Government

### CONGRESS SENATE

S J Res 88 -- Issue gold medal to Bob Hope. SYMINGTON (D Mo.), Allott (R Colo.), Anderson (D N.M.), Bartlett (D Alaska), Beall (R Md.), Bennett (R Utah), Bible (D Nev.), Blakley (D Texas), Boggs (R Del.), Bridges (R N.H.), Burdick (D N.D.), Bush (R Conn.), Butler (R Md.), Byrd (D Va.), Byrd (D W.Va.), Cannon (D Nev.), Capehart (R Ind.), Carlson (R Kan.), Carroll (D Colo.), Case (R N.J.), Case (R S.D.), Chavez (D N.M.), Church (D Idaho), Clark (D Pa.), Cooper (R Ky.), Cotton (R N.H.), Curtis (R Neb.), Dirksen (R Ill.), Dodd (D Conn.), Douglas (D Ill.), Dworshak (R Idaho), Eastland (D Miss.), Ellender (D La.), Engle (D Calif.), Ervin (D N.C.), Fong (R Hawaii), Fulbright (D Ark.), Goldwater (R Ariz.), Gore (D Tenn.), Gruening (D Alaska), Hart (D Mich.), Hartke (D Ind.), Hayden (D Ariz.), Hickenlooper (R Iowa), Hickey (D Wyo.), Hill (D Ala.), Holland (D Fla.), Hruska (R Neb.), Humphrey (D Minn.), Jackson (D Wash.), Javits (R N.Y.), Johnston (D S.C.), Jordan (D N.C.), Keating (R N.Y.), Kefauver (D Tenn.), Kerr (D Okla.), Kuchel (R Calif.), Lausche (D Ohio), Long (D Mo.), Long (D Hawaii), Long (D La.), McCarthy (D Minn.), McClellan (D Ark.), McGee (D Wyo.), McNamara (D Mich.), Magnuson (D Wash.), Mansfield (D Mont.), Metcalf (D Mont.), Miller (R Iowa), Monroney (D Okla.), Morse (D Ore.), Morton (R Ky.), Moos (D Utah), Mundt (R S.D.), Muskie (D Maine), Neuberger (D Ore.), Pastore (D R.I.), Pell (D R.I.), Prouty (R Vt.), Proxmire (D Wis.), Randolph (D W.Va.), Robertson (D Va.), Saltonstall (R Mass.), Schoeppel (R Kan.), Scott (R Pa.), Smathers (D Fla.), Smith (D Mass.), Smith (R Maine), Sparkman (D Ala.), Stennis (D Miss.), Talmadge (D Ga.), Thurmond (D S.C.), Wiley (R Wis.), Williams (D N.J.), Yarborough (D Texas), Young (R N.D.), Young (D Ohio) -- 5/15/61 -- Banking and Currency.

S Res 146 -- Provide Senate adjourn July 11, 1961 as a mark of further respect to memory of Hon. George W. Norris. HRUSKA (R Neb.) -- 5/15/61 -- Agreed.

### HOUSE

HR 7120 -- Amend Legislative Reorganization Act of 1946 to provide for more effective evaluation of fiscal requirements of executive agencies of the Government of the United States. DANIELS (D N.J.) -- 5/16/61 -- Rules.  
HR 7138 -- Revise laws re depository libraries. HAYS (D Ohio) -- 5/17/61 -- House Administration.  
HR 7140 -- Revise effective dates of certain increases in compensation to employees of the Government Printing Office. LANKFORD (D Md.) -- 5/17/61 -- House Administration.  
H Res 291 -- Provide necessary expenses of Committee on Ways and Means. MILLS (D Ark.) -- 5/15/61 -- House Administration.

### CONSTITUTION & CIVIL LIBERTIES

#### SENATE

S J Res 90 -- Amend Constitution of the U.S. re residence requirements for voting in presidential elections. KEATING (R N.Y.) -- 5/18/61 -- Judiciary.

#### HOUSE

HR 7065 -- Protect civil rights. ROOSEVELT (D Calif.) -- 5/15/61 -- Judiciary.  
HR 7089 -- Similar to HR 6890. COHELAN (D Calif.) -- 5/16/61.  
HR 7090 -- Similar to HR 6875. COHELAN (D Calif.) -- 5/16/61.  
HR 7091 -- Similar to HR 6877. COHELAN (D Calif.) -- 5/16/61.  
HR 7092 -- Similar to HR 6876. COHELAN (D Calif.) -- 5/16/61.  
HR 7111 -- Similar to HR 6890. ZELENKO (D N.Y.) -- 5/16/61.  
HR 7112 -- Similar to HR 6877. ZELENKO (D N.Y.) -- 5/16/61.  
HR 7113 -- Similar to HR 6876. ZELENKO (D N.Y.) -- 5/16/61.  
HR 7143 -- Provide equal rights for all citizens. RYAN (D N.Y.) -- 5/17/61 -- Judiciary.  
H J Res 424 -- Similar to H J Res 403. COHELAN (D Calif.) -- 5/16/61.  
H J Res 425 -- Similar to H J Res 404. COHELAN (D Calif.) -- 5/16/61.  
H J Res 426 -- Similar to H J Res 403. ZELENKO (D N.Y.) -- 5/16/61.  
H J Res 429 -- Similar to H J Res 4. BERRY (R S.D.) -- 5/18/61.  
H J Res 430 -- Similar to H J Res 4. TOLL (D Pa.) -- 5/18/61.

### GOVERNMENT OPERATIONS

#### SENATE

S 1867 -- Dispose of property known as Ellis Island for purposes consistent with public interest. SPARKMAN (D Ala.) -- 5/15/61 -- Government Operations.

S 1869 -- Establish a commission on problems of small towns and rural counties. MUNDT (R S.D.), Case (R S.D.) -- 5/15/61 -- Government Operations.

S 1887 -- Recodify, with certain amendments, chapter 19, title 5, USC, entitled "Administrative Procedure." ERVIN (D N.C.) -- 5/16/61 -- Judiciary.

S 1907 -- Amend section 3 of Administrative Procedure Act (60 Stat. 238) to clarify and protect right of public to information. PROXMIRE (D Wis.) -- 5/18/61 -- Judiciary.

S Res 147 -- Oppose Reorganization Plan No. 4 of 1961. HRUSKA (R Neb.) -- 5/16/61 -- Government Operations.

S Res 148 -- Oppose Reorganization Plan No. 1 of 1961. JAVITS (R N.Y.), Capehart (R Ind.) -- 5/16/61 -- Government Operations.

### HOUSE

HR 7063 -- Similar to HR 6882. PETERSON (D Utah) -- 5/15/61.

HR 7151 -- Amend Federal Property and Administrative Services Act of 1949 to authorize disposal of surplus property to certain welfare agencies. CHAMBERLAIN (R Mich.) -- 5/17/61 -- Government Operations.

H Res 302 -- Similar to H Res 285. MONAGAN (D Conn.) -- 5/18/61.

H Res 303 -- Similar to H Res 286. MONAGAN (D Conn.) -- 5/18/61.

H Res 304 -- Similar to H Res 287. MONAGAN (D Conn.) -- 5/18/61.

H Res 305 -- Similar to H Res 288. MONAGAN (D Conn.) -- 5/18/61.

### POST OFFICE & CIVIL SERVICE

#### SENATE

S 1862 -- Amend title 39, USC, to permit private carriage of letters and packets in certain cases. BOGGS (R Del.) -- 5/15/61 -- Post Office and Civil Service.

S 1920 -- Pay unused compensatory time earned by deceased postal employees. JOHNSTON (D S.C.) (by request) -- 5/19/61 -- Post Office and Civil Service.

#### HOUSE

HR 7043 -- Extend to employees subject to Classification Act of 1949 benefits of salary increases and protection of basic compensation rates from effects of downgrading actions; provide salary protection for postal field service employees. LESINSKI (D Mich.) -- 5/15/61 -- Post Office and Civil Service.

HR 7061 -- Amend title 39, USC, to pay unused compensatory time owing to deceased postal employees. MURRAY (D Tenn.) -- 5/15/61 -- Post Office and Civil Service.

HR 7081 -- Amend Civil Service Retirement Act to eliminate reduction in annuity elected for spouse when such spouse predeceases person making election. ANDERSON (R Ill.) -- 5/16/61 -- Post Office and Civil Service.

HR 7117 -- Similar to HR 119. DANIELS (D N.J.) -- 5/16/61.

HR 7122 -- Authorize liability insurance for Government employees using motor vehicles in their official duties. THOMPSON (D La.) -- 5/16/61 -- Post Office and Civil Service.

HR 7174 -- Credit for civil service retirement purposes certain service rendered by civilian employees of nonappropriated fund instrumentalities of Armed Forces. DANIELS (D N.J.) -- 5/18/61 -- Post Office and Civil Service.

HR 7184 -- Permit airmail letters to be sent free of postage by members of Armed Forces of the U.S. on active duty outside the U.S. JOELSON (D N.J.) -- 5/18/61 -- Post Office and Civil Service.

### INDIANS, D.C., TERRITORIES

#### SENATE

S 1883 -- Regulate election in District of Columbia of electors of President and Vice President. BIBLE (D Nev.) -- 5/16/61 -- District of Columbia.

S 1910 -- Provide a pilot plant for development of human and natural resources of Indian reservations by providing an incentive to stimulate such development. HICKEY (D Wyo.), McGee (D Wyo.) -- 5/18/61 -- Interior and Insular Affairs.

S 1911 -- Amend Internal Revenue Code of 1954 to provide income derived by an Indian from tribal lands or allotted and restricted Indian lands not be subject to income tax. METCALF (D Mont.), Mansfield (D Mont.) -- 5/18/61 -- Finance.

S 1912 -- Increase appropriation authorization for completion of irrigation and power systems of Flathead Indian irrigation project, Mont. METCALF (D Mont.), Mansfield (D Mont.) -- 5/18/61 -- Interior and Insular Affairs.

S 1917 -- Amend District of Columbia Teachers' Salary Act of 1955, as amended. BIBLE (D Nev.) (by request) -- 5/19/61 -- District of Columbia.

S 1918 -- Extend benefits of Policemen and Firemen's Retirement and Disability Act Amendments of 1957 to widows and surviving children of former members of Metropolitan Police force, Fire Department of District of Columbia, the U.S. Park Police force, White House Police force, or U.S. Secret Service Division, who were retired or who died in service prior to the effective date of such amendments. BIBLE (D Nev.) (by request) -- 5/19/61 -- District of Columbia.

S 1919 -- Establish workmen's compensation for District of Columbia. BIBLE (D Nev.) (by request) -- 5/19/61 -- District of Columbia.

S 1924 -- Amend Act of Aug. 27, 1954 (68 Stat. 868) re Uintah and Ouray Reservation in Utah. MOSS (D Utah) -- 5/19/61 -- Interior and Insular Affairs.

#### HOUSE

HR 7044 -- Amend section 35, chapter III, Life Insurance Act for District of Columbia. McMILLAN (D S.C.) -- 5/15/61 -- District of Columbia.  
 HR 7052 -- Amend Act of March 3, 1901, re responsibility for criminal conduct. DAVIS, J.C. (D Ga.) -- 5/15/61 -- District of Columbia.  
 HR 7053 -- Admit certain evidence in courts of District of Columbia. DAVIS, J.C. (D Ga.) -- 5/15/61 -- District of Columbia.  
 HR 7096 -- Restore to Indian tribes unclaimed per capita and other individual payments of tribal trust funds. HALEY (D Fla.) (by request) -- 5/16/61 -- Interior and Insular Affairs.  
 HR 7144 -- Regulate election in District of Columbia of electors of President and Vice President. McMILLAN (D S.C.) -- 5/17/61 -- Judiciary.  
 HR 7154 -- Authorize Commissioners of District of Columbia to regulate keeping and running at large of dogs. MULTER (D N.Y.) -- 5/17/61 -- District of Columbia.  
 HR 7193 -- Amend section 2, Automobile Information Disclosure Act, to include Puerto Rico, Guam, and Virgin Islands. MULTER (D N.Y.) -- 5/18/61 -- Interstate and Foreign Commerce.  
 HR 7194 -- Increase appropriation authorization for completion of irrigation and power systems of Flathead Indian irrigation project, Mont. OLSEN (D Mont.) -- 5/18/61 -- Interior and Insular Affairs.  
 HR 7198 -- Provide for District of Columbia an appointed Governor, Secretary, Legislative Counsel, an elected House of Delegates and nonvoting Delegate to the House of Representatives. SCHWENGEL (R Iowa) -- 5/18/61 -- District of Columbia.

#### JUDICIARY

##### SENATE

S 1884 -- Encourage creation of original ornamental designs of useful articles by protecting authors for a limited time against unauthorized copying. HART (D Mich.), Wiley (R Wis.), Talmadge (D Ga.) -- 5/16/61 -- Judiciary.  
 S 1894 -- Simplify payment of certain miscellaneous judgments and of certain compromise settlements. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1895 -- Repeal 18 USC 791 to extend application of chapter 37 of title 18, re espionage and censorship. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1897 -- Amend section 373, title 28, USC, to authorized retired judges of certain territorial courts to perform judicial service when designated and assigned. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1898 -- Withdraw from district courts jurisdiction of suits brought by fiduciaries who have been appointed for creating diversity of citizenship between parties. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1899 -- Increase fees of jury commissioners in U.S. district courts. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1900 -- Clarify status of circuit and district judges retired from regular active service. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1901 -- Validate payments of certain per diem allowances made to members and former members of U.S. Coast Guard serving in special programs overseas. EASTLAND (D Miss.) -- 5/17/61 -- Judiciary.  
 S 1902 -- Supplement and revise laws prescribing restrictions against conflicts of interest applicable to employees of executive branch of Government. EASTLAND (D Miss.) (by request) -- 5/17/61 -- Judiciary.

#### HOUSE

HR 7037 -- Amend section 3238 of title 18, USC. CELLER (D N.Y.) -- 5/15/61 -- Judiciary.  
 HR 7038 -- Eliminate right of appeal from Supreme Court of Puerto Rico to Court of Appeals for First Circuit. CELLER (D N.Y.) -- 5/15/61 -- Judiciary.  
 HR 7039 -- Amend chapter 50, title 18, USC, re transmission of bets, wagers and related information. CELLER (D N.Y.) -- 5/15/61 -- Judiciary.  
 HR 7099 -- Validate payments of certain per diem allowances made to members and former members of U.S. Coast Guard while serving in special programs overseas. LANE (D Mass.) -- 5/16/61 -- Judiciary.  
 HR 7100 -- Provide leave to assist federal prisoners in rehabilitation. LIBONATI (D Ill.) -- 5/16/61 -- Judiciary.  
 HR 7139 -- Supplement and revise criminal laws prescribing restrictions against conflicts of interest applicable to executive branch of Government. HOLTZMAN (D N.Y.) -- 5/17/61 -- Judiciary.  
 HR 7146 -- Similar to HR 3. MEADER (R Mich.) -- 5/17/61.

#### COMMEMORATIVE

##### SENATE

S J Res 91 -- Establish Saint Augustine Quadricentennial Commission. SMATHERS (D Fla.), Holland (D Fla.) -- 5/19/61 -- Judiciary.

S Res 149 -- Designate West Virginia week in commemoration of its 98th anniversary. RANDOLPH (D W.Va.), Byrd (D W.Va.) -- 5/18/61 -- Judiciary.

#### HOUSE

HR 7104 -- Issue special postage stamp in commemoration of 100th anniversary of driving of golden spike at Promontory, Utah, completing first transcontinental railroad route. PETERSON (D Utah) -- 5/16/61 -- Post Office and Civil Service.  
 HR 7155 -- Issue special postage stamp in commemoration of 75th anniversary of Johnstown flood. SAYLOR (R Pa.) -- 5/17/61 -- Post Office and Civil Service.

## 6. National Security

#### ARMED SERVICES & DEFENSE

##### SENATE

S 1877 -- Authorize appointment of citizens of Guam and Virgin Islands to U.S. Military, Naval, and Air Force Academies. JACKSON (D Wash.) -- 5/16/61 -- Armed Services.

#### HOUSE

HR 7049 -- Similar to HR 7026. CONTE (R Mass.) -- 5/15/61.  
 HR 7071 -- Advance certain officers on retired list without affecting retirement pay. YOUNGER (R Calif.) -- 5/15/61 -- Armed Services.  
 HR 7135 -- Amend Universal Military Training and Service Act to defer police officers from training and service in Armed Forces. ANFUSO (D N.Y.) -- 5/17/61 -- Armed Services.

#### ATOMIC ENERGY & SPACE

##### HOUSE

HR 7115 -- Amend National Aeronautics and Space Act of 1958, as amended. BROOKS (D La.) -- 5/16/61 -- Science and Astronautics.

## 7. Public Works & Resources

##### LANDS

##### SENATE

S 1868 -- Authorize Secretary of Interior to convey lands situated on Horn Island in Gulf of Mexico to Mississippi. EASTLAND (D Miss.), Stennis (D Miss.) -- 5/15/61 -- Interior and Insular Affairs.  
 S 1878 -- Add certain lands to Wasatch National Forest, Utah. BENNETT (R Utah) -- 5/16/61 -- Interior and Insular Affairs.

#### HOUSE

HR 7042 -- Add certain federally owned land to Lassen Volcanic National Park, in California. JOHNSON (D Calif.) -- 5/15/61 -- Interior and Insular Affairs.  
 HR 7179 -- Authorize Administrator of General Services to convey certain lands in Wyoming to Cheyenne, Wyo. HARRISON (R Wyo.) -- 5/18/61 -- Government Operations.  
 HR 7189 -- Grant consent of Congress to compact or agreement between North Dakota and Minnesota re boundary. MacGREGOR (R Minn.) -- 5/18/61 -- Judiciary.  
 HR 7195 -- Add certain lands to Wasatch National Forest, Utah. PETERSON (D Utah) -- 5/18/61 -- Agriculture.

#### RESOURCES & PUBLIC WORKS

##### SENATE

S 1864 -- Authorize Secretary of Interior to construct, operate, and maintain Columbus Bend project, Texas. YARBOROUGH (D Texas) (by request) -- 5/15/61 -- Interior and Insular Affairs.  
 S 1905 -- Revise boundaries and change name of Chickamauga and Chattanooga National military Park. BIBLE (D Nev.) -- 5/17/61 -- Interior and Insular Affairs.  
 S 1923 -- Change name of Little Pass to Clearwater Pass, Fla. HOLLAND (D Fla.), Smathers (D Fla.) -- 5/19/61 -- Public Works.

#### HOUSE

HR 7054 -- Amend act re conservation of anthracite coal resources. FENTON (R Pa.) -- 5/15/61 -- Interior and Insular Affairs.  
 HR 7062 -- Conserve migratory waterfowl by acquisition of wetlands and other essential waterfowl habitat. PELLY (R Wash.) -- 5/15/61 -- Merchant Marine and Fisheries.

- HR 7069 -- Similar to HR 6894. SILER (R Ky.) -- 5/15/61.  
 HR 7114 -- Approve amendatory repayment contract with Huntley Project Irrigation District, Mont.; authorize its execution. BATTIN (R Mont.) -- 5/16/61 -- Interior and Insular Affairs.  
 HR 7145 -- Construct certain public works on Great Lakes for flood control, and protection from high water levels. MEADER (R Mich.) -- 5/17/61 -- Public Works.  
 HR 7147 -- Reimburse owners and tenants of certain real property acquired as additions to U.S. Capitol Grounds for moving expenses. NELSEN (R Minn.) -- 5/17/61 -- Public Works.  
 HR 7153 -- Similar to HR 6922. MILLER, CLEM (D Calif.) -- 5/17/61.  
 HR 7171 -- Similar to HR 6812. CLARK (D Pa.) -- 5/18/61.  
 HR 7173 -- Change name of Little Pass to Clearwater Pass, Fla. CRAMER (R Fla.) -- 5/18/61 -- Public Works.  
 HR 7185 -- Similar to HR 6812. KEARNS (R Pa.) -- 5/18/61.  
 HR 7190 -- Establish Wabash Basin Interagency Water Resources Commission. MACK (D Ill.) -- 5/18/61 -- Public Works.

## 8. Taxes and Economic Policy

### ECONOMIC POLICY & REGULATIONS

#### SENATE

- S 1885 -- Amend section 302(i) of Federal Aviation Act of 1958 to extend time for which individuals may serve as members of advisory committees appointed by Administrator. MAGNUSON (D Wash.) (by request) -- 5/16/61 -- Commerce.  
 S 1886 -- Repeal and amend certain statutes fixing or prohibiting collection of fees for certain services under navigation and vessel inspection laws. MAGNUSON (D Wash.) (by request) -- 5/16/61 -- Commerce.  
 S Res 150 -- Re caution and deliberation on applications for approval of railroad mergers. HUMPHREY (D Minn.), Mansfield (D Mont.), Metcalf (D Mont.), Morse (D Ore.), Magnuson (D Wash.) -- 5/19/61 -- Commerce.

#### HOUSE

- HR 7082 -- Establish National Citizens Advisory Board on Radio and Television. ASHLEY (D Ohio) -- 5/16/61 -- Interstate and Foreign Commerce.  
 HR 7108 -- Amend Federal Home Loan Bank Act and title IV of National Housing Act. SPENCE (D Ky.) -- 5/16/61 -- Banking and Currency.  
 HR 7109 -- Amend Federal Home Loan Bank Act to simplify and improve election and appointment of directors of Federal Home Loan Bank. SPENCE (D Ky.) -- 5/16/61 -- Banking and Currency.  
 HR 7110 -- Eliminate requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposits and note liabilities. WIDNALL (R N.J.) -- 5/16/61 -- Banking and Commerce.  
 HR 7186 -- Similar to HR 184. LANE (D Mass.) -- 5/18/61.

#### COMMERCE

#### SENATE

- S 1892 -- Direct Secretary of Commerce to undertake studies of economic effects of deactivating certain permanent military installations in areas of substantial unemployment. CASE (R N.J.), Williams (D N.J.) -- 5/17/61 -- Commerce.

#### HOUSE

- HR 7157 -- Direct Secretary of Commerce to undertake studies of economic effects of deactivating certain permanent military installations in areas of substantial unemployment. DWYER (R N.J.) -- 5/17/61 -- Interstate and Foreign Commerce.  
 HR 7158 -- Similar to HR 7157. FRELINGHUYSEN (R N.J.) -- 5/17/61.

#### LABOR

#### HOUSE

- HR 7036 -- Prohibit strikes at defense facilities. MARTIN (R Neb.) -- 5/15/61 -- Education and Labor.  
 HR 7056 -- Clarify relationship with and effect of Labor-Management Relations Act of 1947 and Labor-Management Reporting and Disclosure Act of 1959 with state and/or federal apprenticeship laws. GUBSER (R Calif.) -- 5/15/61 -- Education and Labor.  
 HR 7070 -- Retrain persons displaced from jobs by automation or other technological development, foreign competition, relocation of industry, shifts in market demands, or other change in structure of the economy. SLACK (D W.Va.) -- 5/15/61 -- Education and Labor.  
 HR 7084 -- Similar to HR 6474. COHELAN (D Calif.) -- 5/16/61.  
 HR 7085 -- Similar to HR 6477. COHELAN (D Calif.) -- 5/16/61.  
 HR 7087 -- Similar to HR 6478. COHELAN (D Calif.) -- 5/16/61.  
 HR 7097 -- Similar to HR 7015. HOFFMAN (R Mich.) -- 5/16/61.

### TRANSPORTATION

#### HOUSE

- HR 7183 -- Authorize certain common carriers to furnish transportation to students at reduced rates. JOELSON (D N.J.) -- 5/18/61 -- Interstate and Foreign Commerce.

#### TAXES

#### SENATE

- S 1871 -- Amend Internal Revenue Code of 1954 to permit deduction for depreciation of property to be computed without regard to salvage value. MILLER (R Iowa) -- 5/16/61 -- Finance.  
 S 1879 -- Repeal tax on general telephone service and on transportation of persons. RANDOLPH (D W.Va.), Byrd (D W.Va.) -- 5/16/61 -- Finance.  
 S 1903 -- Amend Internal Revenue Code of 1954 to provide deduction as trade or business expenses amounts paid in escrow or to insurance companies to provide protection against losses from floods. CARLSON (R Kan.) -- 5/17/61 -- Finance.  
 S 1914 -- Amend effective date of section 2(b) of PL 86-376 re inter alia, subchapter S of the 1954 Internal Revenue Code. COTTON (R N.H.), Bridges (R N.H.) -- 5/17/61 -- Finance.

#### HOUSE

- HR 7045 -- Amend Internal Revenue Code of 1954 to permit amortization over a 60-month period of certain civil defense facilities. MacGREGOR (R Minn.) -- 5/15/61 -- Ways and Means.  
 HR 7051 -- Similar to HR 86. CRAMER (R Fla.) -- 5/15/61.  
 HR 7057 -- Apply terms "gross income from mining" and "ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products" to certain clays and shale for taxable years before Dec. 14, 1959. IKARD (D Texas) -- 5/15/61 -- Ways and Means.  
 HR 7058 -- Allow in computation of percentage depletion for clay in making brick, tile, sewer pipe, and other burnt clay products, same cutoff point and depletion rate as presently allowed for calcium carbonates and limestone in making cement. IKARD (D Texas) -- 5/15/61 -- Ways and Means.  
 HR 7066 -- Provide an additional income tax exemption for a taxpayer, spouse, or dependent who is a student at an institution of higher learning. SCHWENGEL (R Iowa) -- 5/15/61 -- Ways and Means.  
 HR 7067 -- Similar to HR 7066. SCHWENGEL (R Iowa) -- 5/15/61.  
 HR 7068 -- Similar to HR 7066. SCHWENGEL (R Iowa) -- 5/15/61.  
 HR 7107 -- Exclude from gross income termination payments received by an employee whose position has been eliminated by automation. SMITH (D Miss.) -- 5/16/61 -- Ways and Means.  
 HR 7134 -- Similar to HR 346. ANDERSON (R Ill.) -- 5/17/61.  
 HR 7136 -- Provide scheduled personal and corporate income tax reductions. DEROUNIAN (R N.Y.) -- 5/17/61 -- Ways and Means.  
 HR 7141 -- Provide that, in stock or stock options issued or granted in whole or in part for services rendered, gain be treated as ordinary income. MULTER (D N.Y.) -- 5/17/61 -- Ways and Means.  
 HR 7142 -- Similar to HR 7057. NATCHER (D Ky.) -- 5/17/61.  
 HR 7150 -- Similar to HR 7057. BETTS (R Ohio) -- 5/17/61.  
 HR 7156 -- Refund to states certain taxes on distilled spirits and wine destroyed by fire, casualty, or act of God. TUPPER (R Maine) -- 5/17/61 -- Ways and Means.  
 HR 7180 -- Grant exemption from income tax of retirement annuities and pensions. HOLTZMAN (D N.Y.) -- 5/18/61 -- Ways and Means.  
 HR 7181 -- Increase personal income tax exemptions (including a spouse, a dependent, and additional exemption for old age or blindness) from \$600 to \$1,000. HOLTZMAN (D N.Y.) -- 5/18/61 -- Ways and Means.  
 HR 7182 -- Similar to HR 7057. HUDDLESTON (D Ala.) -- 5/18/61.  
 HR 7197 -- Provide tax on admissions not apply to plays, operas, concerts, ballets, or other live dramatic or musical performances. RYAN (D N.Y.) -- 5/18/61 -- Ways and Means.

#### TARIFFS

#### HOUSE

- HR 7050 -- Amend Tariff Act of 1930, as amended, to permit free flow of commerce. CONTE (R Mass.) -- 5/15/61 -- Ways and Means.  
 HR 7095 -- Reduce temporarily exemption from duty enjoyed by returning residents. DULSKI (D N.Y.) -- 5/16/61 -- Ways and Means.  
 H Con Res 304 -- Similar to H Con Res 4. BOW (R Ohio) -- 5/15/61.  
 H Con Res 305 -- Similar to H Con Res 4. FOGARTY (D R.I.) -- 5/15/61.  
 H Con Res 306 -- Similar to H Con Res 4. HIESTAND (R Calif.) -- 5/15/61.  
 H Con Res 312 -- Similar to H Con Res 4. BATTIN (R Mont.) -- 5/16/61.



## Committee Roundup

### BILLS TO LEGALIZE WIRETAPPING DEBATED IN CONGRESS

Should police be permitted to use telephone wiretaps and electronic eavesdropping devices?

That question, the center of sporadic public controversy for over 30 years, has once again become an important issue because of a Supreme Court ruling which, state officials say, prohibits them from tapping phone wires even when the practice is permitted by state law.

The Senate Judiciary Constitutional Rights Subcommittee May 9-12 held four days of hearings on four bills which, while differing widely in detail, all had one central aim: to make wiretapping by a federal or state law-enforcement officer legal and evidence so obtained admissible in court.

At the hearings, those who favored police wiretapping argued that law-enforcement officials needed additional tools to fight organized crime and espionage. Those who opposed it contended that wiretapping was a technique of a totalitarian state.

#### Legal Status

Under existing law, there is a distinction between wiretapping and eavesdropping and between state and federal criminal prosecutions.

Wiretapping means attaching a hidden receiver to a telephone line in order to intercept a phone conversation. Eavesdropping means using hidden microphones or other sensitive devices that can pick up a voice (sometimes through a door, wall or transom) in order to overhear conversations within a room.

**Wiretapping:** The current status of the law on wiretapping was reached in a series of steps beginning in 1928. In that year, in the *Olmstead* case, the Supreme Court ruled 5-4 that the use of wiretap evidence in a federal court did not by itself violate constitutional guarantees in the 4th and 5th Amendments against unreasonable search and seizure and self-incrimination.

The *Olmstead* decision appeared to open the door to wiretapping by government agents as a regular device of crime detection. But in 1934, Congress passed the Communications Act (47 USC 605). One section stated that "no person not being authorized by the sender shall intercept any communication and divulge or publish" the contents (or substance) to anyone else.

In a series of famous decisions (*Nardone* cases, 1937 and 1939, *Benanti* case, 1957), the Supreme Court held that the Communications Act made it illegal for anyone -- whether a private person or a state or federal law officer -- to tap a telephone wire and divulge what he learned. The Court ruled that evidence obtained by wiretapping, directly or indirectly, could not be used in federal courts.

In two other decisions, however (*Schwartz* case, 1952, and *Pugach v. Dollinger*, 1961), the Court left it to the states to decide (each individually in accord with its own laws) whether wiretap evidence could be used in state courts -- even though the persons who collected the evidence and divulged it in the state court were actually committing a federal crime under the Communications Act in so doing.

The reason the wiretap evidence was permitted in state courts was that the Supreme Court, in *Wolfe v. Colorado* (1949), had held that the states have the right to determine what kind of evidence is admissible in state cases, and 24 states permit use of illegally obtained evidence.

Much of the recent impetus for a new federal wiretapping law was derived from the anomalous position of state law-enforcement officers as a result of the *Nardone* and *Benanti* decisions, particularly the latter. Although the *Benanti* decision did nothing to prevent the states from using wiretap evidence (in accord with the *Schwartz* and *Pugach* rulings), it made clear that the "no person" language in the Communications Act referred to everybody, and that, consequently, a state police official who wiretapped and then used the evidence in court was guilty of a federal crime even in states where state law specifically permitted wiretapping. (Six states permitted wiretapping by state officials as of the beginning of 1961: Louisiana, Maryland, Massachusetts, Nevada, New York and Oregon.)

Although the Justice Department does not prosecute state law officials for conducting wiretaps, the state officials, since the *Benanti* decision, have been pressing for a change in the language of the Communications Act so that wiretapping authorized by state laws will not be a federal crime. The state officials, meanwhile, have continued to place taps. At the Subcommittee hearings, for example, New York City Police Commissioner Michael Murphy submitted figures showing that city police had obtained state court orders for 267 wiretaps in 1960, and these had led to 698 arrests.

Additional pressure for a change in the Communications Act has come from federal officials. It has long been public knowledge that the Federal Bureau of Investigation, for example, engages in wiretapping despite the prohibition in the Communications Act. Herbert J. Miller Jr., Assistant U.S. Attorney General in charge of the criminal division, said May 11 at the Subcommittee hearings that the FBI was conducting 85 wiretaps, all in security cases. The Justice Department believed, Miller said, that the Communications Act as applied to the FBI prohibited only the dual act of intercepting and divulging telephone conversations, but not interception alone when not followed by divulgence. Miller said that every Attorney General since Franklin D. Roosevelt's second term as President (1937-41) had authorized a limited number of wiretaps in security cases.

**Eavesdropping:** Unlike wiretapping, eavesdropping is not prohibited by any federal law. When the question of the permissibility of eavesdropping first arose, therefore, the issue turned on whether electronic eavesdropping violated 4th Amendment guarantees against unreasonable search and seizure. In general, the Supreme Court (with regard to federal cases) has held that electronic eavesdropping does not violate the 4th Amendment provided no physical trespass on the property of the person being overheard is involved. Thus, in the *Goldman* case (1942), the Court held that use of a detectaphone by federal officers to pick up conversation from within a closed office



was permissible under the 4th Amendment (and did not violate the Communications Act, either); and in the On Lee case (1952), it held permissible the use of a hidden microphone by a Government informer who entered the suspect's laundry and engaged him in conversation which was transmitted to federal officers outside. On the other hand, in the Silverman case (1960), the Court said the use of a spike microphone driven into a wall to listen to a suspect's conversation was forbidden because it was an illegal trespass (by 5/16ths of an inch).

With regard to the states, the Court permits the states to determine, as with wiretapping, what eavesdropping evidence they wish to use in state cases, in accord with state law or precedents; the Court in 1953, in the Irvin case, refused to upset the right of California courts to admit evidence illegally obtained by state officers by hanging a microphone in a suspect's bedroom closet.

## Bills Proposed

The four bills are before the Constitutional Rights Subcommittee:

- S 1086, sponsored by Kenneth B. Keating (R N.Y.), states that it is not a federal crime for state law officials, where state law permitted, to tap telephones and use the evidence in state courts. Before placing a tap, the officials would be required to obtain permission from a state court based on a showing that the tap would probably disclose evidence of a crime.

- S 1822, sponsored by Roman L. Hruska (R Neb.), is the same as S 1086 but limits the taps to 30 days and to a particular phone to be designated in the court order.

- S 1221, sponsored by Keating, has two parts: (1) it permits wiretapping (and the use in court of the evidence so obtained) by federal law enforcement officers under a court order; (2) it outlaws eavesdropping by any accusatorial devices except by federal or state law-enforcement officers operating under a court order.

- S 1495, sponsored by Thomas J. Dodd (D Conn.), permits the Attorney General, without any court order, to authorize federal agents to make wiretaps in cases involving espionage, treason, sabotage, sedition and kidnapping. It also authorizes the Attorney General or a U.S. attorney to permit a federal agent to apply to a federal court for permission to wiretap in cases involving all the above crimes plus murder, extortion, bribery, gambling, racketeering and narcotics. In addition, the Dodd bill states that it is not a crime for state officials, when authorized by state law, to seek state court orders permitting them to wiretap in cases involving murder, extortion, bribery, felonious gambling and narcotics.

The Dodd bill would require all applications to meet these standards: one of the specified crimes has been or is about to be committed; the tap will furnish evidence needed for prevention or conviction of crimes; no other means of obtaining the evidence is available.

Evidence obtained through taps authorized by the Dodd bill could be used in court, released within the department involved to superior officers or made available to Congressional and state legislative committees.

## Debate at Hearings

At the May 9-12 Subcommittee hearings, all witnesses agreed that both wiretapping and eavesdropping by private persons was widespread and should be curbed.

Controversy centered on whether public officials should have the right to tap wires. The problem, all conceded, was to balance the needs of society for better law enforcement against the intrusion on privacy and personal liberty that wiretapping entailed.

Those who favored police wiretapping argued that foreign agents and interstate or local organized criminal rings themselves used every mechanical and legal device available to evade the law; without using modern devices, the police were retarded in their work. New York County District Attorney Frank S. Hogan said: "Telephone interception is the single most valuable weapon in the fight against organized crime."

Most witnesses in favor of wiretapping argued that limiting police wiretapping to cases involving serious crimes and/or putting it under court supervision provided adequate safeguards against police abuse of the power. Assistant Attorney General Miller, on behalf of the Justice Department, argued that, just as it was permissible for a police officer to enter a person's home to search for evidence of a crime, provided he had a court warrant, so wiretapping should be permissible with a court order. Miller also said some crimes were so grave, or required such rapid police action, that the Attorney General should have power to tap wires in cases involving such crimes even without a court order.

Miller formally endorsed the following proposals: (1) letting the Attorney General, without a court order, authorize wiretapping in cases involving kidnapping, espionage, treason, sedition, sabotage and criminal subversive activities; (2) permitting high officials of the Justice Department to seek a federal court order authorizing wiretapping in cases involving other serious crimes (in each case in both categories above, the evidence should be permitted in federal courts); (3) permitting state officials to wiretap under the conditions outlined in S 1086. Miller said the Department had no recommendations for curbing eavesdropping as proposed in Keating's bill, S 1221.

Among other witnesses, Kings County (Brooklyn), N.Y., District Attorney Edward S. Silver, speaking for the National District Attorneys' Assn., endorsed S 1086, as did Edwin L. Gasperini, spokesman for the Committee on Federal Legislation of the Assn. of the Bar of the City of New York (Gasperini suggested adding safeguards), and several police officials from other jurisdictions.

Opposition to police wiretapping and eavesdropping was expressed by Americans for Democratic Action, the American Civil Liberties Union, the American Jewish Congress and numerous law professors. They argued that government wiretapping was an invasion of privacy and was not analogous to search of a home with a warrant, because wiretapping was a continuing activity occurring over a long period of time, and was not generally made known to the person whose phone was being tapped, and because the information obtained was not confined to specific items named in a search warrant but included everything said over the phone. The practice was therefore highly susceptible to police "fishing expeditions."

Wiretapping, they contended further, invaded the sanctity of the home, inhibited free speech and inevitably led to gross police abuses that eroded democratic liberties; it was the characteristic technique of a totalitarian state where every private right was subject to abridgement by petty officials on grounds it was for the "good of society" as defined by those officials.

## RAILROAD RATES

COMMITTEE -- Senate Commerce.

BEGAN HEARINGS -- On a bill (S 1197) to require the Interstate Commerce Commission, when considering railroad freight rate changes, to consider the impact of the change on all other forms of carriers. The proposal amended a provision of the Transportation Act of 1958 which stipulated that "rates of a carrier shall not be held up to a particular level to protect the traffic of any other mode of transportation." (1958 Almanac p. 244)

TESTIMONY -- May 11 -- Daniel P. Loomis, president of the Assn. of American Railroads, opposed S 1197 and said it was "being pushed" by members of the trucking industry. He said the bill was aimed against the railroads' reduced rates for "piggyback", or the hauling of truck trailers on railroad freight cars. He said piggyback transport had permitted the railroads to cut their rates and provide a more economical means of transportation than trucking. Loomis said he did not "believe any responsible Congressman will go along with this reactionary, price rigging bill."

Sidney Zagri of the International Brotherhood of Teamsters supported the bill. He said piggyback transport was part of a railroad campaign to "destroy trucking competition" through a "systematic plan of selective rate cutting."

Frederick G. Freund of the American Trucking Assns. said S 1197 would "do no more than remind the (Interstate Commerce) Commission of its already-existing obligation under the National Transportation Policy -- the duty to prevent destructive competitive practices." He said the ICC misinterpreted the 1958 Act to mean that it no longer had to consider the effect of rate reductions on the nation's whole transportation system. This was an "abdication of duty," he said.

May 12 -- D.W. Rentzel of the National Automobile Transporters Assn. supported S 1197. He said the railroads were offering "cut-throat rates" for piggyback transportation in order to destroy "all competition of automobile traffic." Rentzel said the railroads had cut rates in areas of competitive transportation and increased rates for noncompetitive traffic.

May 16 -- Morris Forgash, president of the U.S. Freight Co. opposed S 1197. He said the bill would destroy the usefulness of piggybacking. Forgash predicted that trucks and trains would be hauled by electronic tractors and atomic locomotives in the near future, but said such changes would be impossible "if you interfere with economics."

## ELECTRICAL PRICE FIXING

COMMITTEE -- Senate Judiciary, Antitrust and Monopoly Subcommittee.

CONTINUED HEARINGS -- On alleged price fixing and bid rigging in the electrical equipment industry. (Weekly Report p. 801) Testimony:

May 11 -- I-T-E Circuit Breaker Co. President Max Scott said Federal Pacific Electric Co. Vice President Frank Roby told him early in 1961 that he thought General Electric Co. Vice President Arthur F. Vinson was "100 percent involved" in price fixing. (Vinson April 26 denied any knowledge of price fixing. Weekly Report p. 715)

May 16 -- Roby said he had never met Vinson, heard that Vinson attended a price fixing meeting, or mentioned

Vinson to Scott. Roby said he began attending meetings with competitors in the late 1930's.

J.W. McMullen, an Allis-Chalmers Manufacturing Corp. general manager, said he had attended price fixing meetings for 25 years. He had never discussed such meetings with his superiors, he said. McMullen said the meetings were necessary to combat "destructive market conditions."

May 17 -- Mark W. Cresap Jr., president of Westinghouse Electric Corp., said he had not been aware that subordinates were involved in price fixing and he "deeply deplored" the "sorry episode." He said Westinghouse had not fired the employees who were convicted in February 1961 for antitrust violation because it could not meet its corporate responsibility for the conspiracy by "making scapegoats of a few." To prevent recurrence of price fixing, Cresap said Westinghouse had instituted an enforcement program which included: creation of an antitrust section within the company's law department; establishment of an outside board of advisors to oversee antitrust law compliance; and development of an internal education program on pricing and marketing responsibilities. The chief problem currently confronting the electrical equipment industry was beyond the capacity of any one company to solve because it involved restoration of public confidence, Cresap said.

May 18 -- Cresap said submission of identical bids for Government contracts was not indicative of "conspiracy among competitors". An electrical equipment manufacturer had to meet "the lowest price offered by a competitor in order to stay in business," Cresap said. He declined to answer a question by Subcommittee Chairman Estes Kefauver (D Tenn.) on how he thought the antitrust laws might be improved. Cresap said he thought the laws were "good, tough and proper."

RELATED DEVELOPMENT -- May 20 -- Kefauver announced he was planning to introduce legislation to amend the Sherman Antitrust Act to penalize corporation executives who become aware of antitrust violation by subordinates but fail to take action against it.

## EDUCATIONAL TV

COMMITTEE -- House Interstate and Foreign Commerce, Communications and Power Subcommittee.

CONCLUDED HEARINGS -- On six bills (HR 132, 645, 925, 2910, 5099, 5536) to provide federal grants for educational broadcasting facilities. (Weekly Report p. 482)

BACKGROUND -- The Senate March 21 passed a bill (S 205) authorizing a five-year program of federal grants to the states and the District of Columbia, limited to \$1 million per state, for educational TV. The total \$51 million in grants would be awarded upon application of the states to the U.S. Commissioner of Education. The bill was passed despite an Administration request for a delay pending further study. (See p. 482)

Of the six House bills under consideration, three (HR 645, 965, 2910) were similar to S 205; the other three (HR 132, 5099, 5536) called for: a total authorization of \$52,520,000 for matching grants programs, on a 50-50 basis, covering the states, District of Columbia and Puerto Rico, with \$52 million for construction of educational TV facilities (\$1 million limit per state), and \$520,000 for surveys and planning of the programs (\$10,000 limit per state).

Abraham A. Ribicoff, Secretary of Health, Education and Welfare, told a May 10 meeting of the National Assn.

of Broadcasters the Administration believed federal funds should be available on a matching basis for educational TV. He said HEW planned to "intensify its activities" to aid TV stations in "attaining their highest potential." Chairman Newton N. Minow of the Federal Communications Commission May 9 told the NAB "educational television has an enormous contribution to make to the future, and I intend to give it a hand along the way." (See Reorganization Plans story, p. 896)

**TESTIMONY --** May 17 -- Ribicoff said he did not believe educational TV stations "will have enough vitality to survive unless the areas they serve show enough interest and put up at least half the funds." He said he considered "the most careful planning absolutely essential if the entire country is to be served by educational television." Ribicoff supported the matching grants provisions of HR 932, 5099 and 5536, but he recommended cutting the proposed \$52 million authorization for construction in those bills to \$25 million. He supported the bills' proposed \$520,000 authorization for surveys and plans, bringing his total recommended authorization to \$25,520,000.

In addition, he recommended inclusion of provisions so state plans could be developed cooperatively into interstate or regional plans and construction grants on a project-by-project basis, instead of a state-by-state basis.

Asked by the Subcommittee why there were now only about 50 educational TV stations in operation, although 268 channels had been set aside for them, Ribicoff said commercial TV stations had been derelict in this field and he was "very disappointed that private commercial television has not done more."

May 19 -- Rep. Ralph J. Rivers (D Alaska) said proposed legislation would not be practicable in Alaska and other sprawling, sparsely populated Western states because of high operating costs for such large areas. He proposed that privately operated TV stations be permitted to participate on a free time, public service basis, and that sums be made available for tape reproduction and other out-of-pocket expenses.

## POSTAL RATE INCREASES

**COMMITTEE --** House Post Office and Civil Service.

**CONTINUED HEARINGS --** On HR 6418, an Administration bill to increase postal rates. (Weekly Report p. 840) **Testimony:**

May 16 -- Representatives of Time Inc. and Curtis Publishing Companies opposed HR 6418. They said postal rates should not be increased until the Post Office improved production efficiency. They said the accounting system used by the Post Office for ascertaining costs and proposing rate increases should be overhauled and that heavier weight publications should not be the "whipping boy" in meeting second class mail costs.

Representatives of agricultural magazines opposed HR 6418. They said increased postage costs could not be covered by raising advertising rates because higher rates would force many advertisers to abandon magazines. They said the bill would force many magazines to economize by shifting circulation from the mails to city newsstands, but such economies were not available to them because of the rural appeal of the publications.

May 17 -- Representatives of the Direct Mail Advertising Assn. said a two-fold budget -- an operating budget and a capital improvement budget -- should be adopted for the Post Office so that modernization would not have to be financed by rate increases.

Representatives of the National Assn. of Advertising Publishers opposed rate increases. If increases were voted, they said, rates for local shopping guides and controlled circulation mail should not be raised to the levels proposed by HR 6418.

May 18 -- Bun Raley, legislative representative of the National League of Postmasters, supported rate increases as "long overdue."

Representatives of the National Editorial Assn. said the Post Office should not be considered a business in which income had to completely offset costs. They said the proposed abolition of free in-county mail for publications would not affect many eastern publishers but would adversely affect some county-wide publications in western states which relied on the mails to reach less densely populated areas.

Payson Hall of Meredith Publishing Co. opposed the bill. He recommended that the public service costs of the Post Office be determined partially through a calculation of the cost of handling Government department mail at free or reduced rates. Hall said the departments should reimburse the Post Office for such service from annual appropriations.

Representatives of the Smaller Magazine Postal Committee and the Magazine Division of Holt, Rinehart and Winston, publishers, said the proposed increase for second-class mail would "eliminate" many light-weight "little" magazines which had limited advertising and circulation.

Ralph Nicholson of the American Newspaper Publishers Assn. said there should be no rate increases until the Post Office Department deficit was recalculated using a more "realistic accounting of the public service costs."

## U.S. MIGRANT LABOR

**COMMITTEE --** Senate Labor and Public Welfare, Migratory Labor Subcommittee.

**HELD HEARINGS --** May 17 and 18 on a bill (S 1129) to expand Labor Department recruitment, transportation and placement services for migrant workers by permitting the Secretary of Labor to transport workers from areas of underemployment to labor-shortage areas.

As introduced, S 1129 provided that workers would be transported to labor-shortage areas where they would negotiate written contracts with farmers stipulating an hourly wage, housing, duration of employment, working hours, and workman's compensation. No workers would be furnished to fill vacancies caused by strike or lockout. The program would be financed by farmer payments of \$15 per worker placed. S 1129 was one of 11 bills introduced Feb. 28 by Subcommittee Chairman Harrison A. Williams Jr. (D N.J.) to aid U.S. migrant farm workers. (Weekly Report p. 714)

**TESTIMONY --** May 17 -- Matt Triggs of the American Farm Bureau Federation opposed S 1129. He said farm labor recruitment was performed more efficiently by farmers than by Government officials. Competent farm workers would not participate in the proposed program because they did not need it, he said. Triggs declared that while the proposed contract could be enforced to make farmers meet their obligations, it contained no enforcement provisions for labor. He said the bill, in effect, would allow the Secretary of Labor to assist unions to organize farm labor by permitting him to refuse to furnish workers to fill vacancies created by strikes or lockouts.



Kenneth Morefield of the United Fresh Fruit and Vegetable Assn. said the bill was "class legislation" because it required farmers using the U.S. Employment Service to provide wages and working conditions not required of non-farm employers using the Service. He said workers would lose their right to negotiate and seek better employment if they were recruited, transported and placed by the Labor Department.

William L. Batt Jr., administrator of the newly created Area Redevelopment Administration and former Pennsylvania Secretary of Labor, supported the bill. He said it provided the same wages and working conditions for U.S. workers which were provided for farm workers imported under the Mexican and Puerto Rican programs. He said a national program was required for migrant workers because of the interstate nature of their work.

Arnold Mayer of the Amalgamated Meat Cutters and Butcher Workmen (AFL-CIO) supported the bill. He proposed adding provisions to prevent farmers from setting wages so low that U.S. workers would not accept the work, thus freeing the farmers to import workers under the Mexican farm labor program. (Weekly Report p. 794)

May 18 -- David E. Christian, Labor Department special assistant for manpower problems, supported S 1129. He said the proposed written contract would provide minimum protection for both the employer and the migrant workers.

Rev. James L. Vizzard, S.J. of the National Catholic Rural Life Conference supported the bill but said farmers needing workers should be required to use the program. Only if it proved inadequate should they be permitted to import labor under the Mexican or Puerto Rican programs, he said.

RELATED DEVELOPMENTS -- May 9 and 10 -- The House Education and Labor, Select Labor Subcommittee held hearings on a companion bill (HR 5290) to S 1129. The hearings also dealt with three other bills which were counterparts of bills already approved by the Senate Subcommittee: a bill (HR 5291) to establish a minimum age for agricultural work (S 1123); a bill (HR 5289) to provide for federal registration and licensing of migrant farm worker crew leaders (S 1126); and a bill (HR 5288) to establish a National Citizens' Council on Migratory Labor (S 1132).

May 19 and 20 -- The Select Labor Subcommittee held hearings in New York City to receive testimony from migrant laborers and state farm groups on alleged exploitation of farm workers.

## TAX REVISION

COMMITTEE -- House Ways and Means.

CONTINUED HEARINGS -- On the Administration's proposals for revision of tax laws. (Weekly Report p. 842) Testimony:

May 16 -- Witnesses testified on the proposed tax credit to stimulate business modernization and investment.

Stanley H. Rutenberg of the AFL-CIO opposed the tax credit plan as "an unwarranted handout of billions of dollars to business at a time when other taxpayers are being offered no relief at all." He said income tax reduction for low and moderate income families should "receive priority consideration" in tax law revision. "There is no evidence American business generally needs a federal subsidy to help pay for its plant and equipment outlays," Rutenberg said.

Howard Petersen of the Committee for Economic Development opposed the plan and suggested that "more generous depreciation charges" would be "a better-balanced approach to the encouragement of investment." Petersen also said he was "deeply disappointed that the Administration has not grasped the nettle of extremely high rates of individual income tax."

Leslie Mills of the American Institute of Certified Public Accountants said the tax credit would "in no way stimulate the modernization and replacement of obsolete facilities." As an alternative, Mills recommended that the Government enact "a significant reduction of tax rates on business income."

May 18 -- Charles R. Sligh Jr. of the National Assn. of Manufacturers opposed the entire Administration tax program. He proposed an alternative plan to stimulate investment, including step-by-step income tax reduction, higher depreciation allowances and lower estate and gift taxes. Such a program, Sligh said, was needed to release capital and create new jobs.

Frank E. Barnett of the Assn. of American Railroads said 47 of 106 major rail lines were too impoverished to be able to take advantage of the proposed tax credit. Barnett recommended liberalized depreciation allowances in place of the credit plan. He also opposed the Administration's proposal to extend the 10 percent excise tax on passenger tickets, scheduled for reduction to 5 percent July 1.

Belford A. Small of the Machinery Dealers Assn. opposed the tax credit plan. He said it would "modernize a small segment of American industry at the expense of their competitors and...create more technological unemployment through the uneconomical use of tax credit funds for automation."

May 19 -- Witnesses testified on the Administration proposal to disallow tax deductions for business entertainment expenses, limit deductible business trip expenses to \$30 a day, and limit deductions for food and beverages at business meetings to \$7.

Vincent Sardi Jr., owner of Sardi's Restaurant in New York City, opposed the Administration proposals. He said a restaurant recession was currently underway, aggravated by "a drastic curtailment" of spending by businessmen frightened by the possibility of curbs on expense account deductions. Sardi said the proposals would "kill convention business in cities like Chicago, New Orleans, Philadelphia and Miami" and would "ruin" the legitimate theatre.

Wallace M. Jensen of the Chamber of Commerce of the U.S. opposed curbing deductions. He said "correction of expense account abuses" should be accomplished by administrative action and not by legislation. Because travel and entertainment expenses were "necessary business operating costs" they should be continued as deductible items, Jensen said.

Stanley H. Rutenberg of the AFL-CIO supported the proposed curbs. Rutenberg said: "No one seeks now or has sought the denial of legitimate business expense. But the lack of legislative standards has...led to serious abuse."

Frank V. Olds of the Committee on Federal Taxation of the Controllers' Institute of America protested that the proposals would put a "straight jacket" on business. He said the proposed limits would become a ceiling "to be worked up to by businesses currently spending less than the permissible amount."



May 22 -- J.S. Seidman, theatrical financial backer, said the proposed deduction curbs would be a "wonderful boon" to the theater. He said theater seats were currently "gobbled up by carefree tax deductible spenders" and enactment of the proposals would bring the general public back to the theater.

## AID TO EDUCATION

COMMITTEE -- House Education and Labor.

ACTION -- May 25 ordered reported a clean bill (HR 7300) granting federal funds to the states for public school construction and teachers' salaries. The Committee May 24 approved the bill by an 18-13 vote, with Rep. Ralph J. Scott (D N.C.) joining the Committee's 12 Republicans in voting against it.

The bill approved by the full Committee was identical to the bill approved May 9 by the General Education Subcommittee. It authorized \$2,484,000,000 over three years. The Administration had requested \$2,298,000,000 over the same period.

The increased authorization resulted from Subcommittee revisions of the Administration's method of allocating the funds. The Subcommittee based the allocations on total school-age population (5-17 years); the Administration had based grants on the number of public school children only. Although the Subcommittee reduced the minimum grant per pupil from \$15 to \$12, the decision to grant funds on the basis of counting private as well as public school children necessitated a higher authorization. (Weekly Report p. 801)

The bill extended for three years, without cuts, the programs (PL 815, PL 874) granting federal funds for public school construction and maintenance in areas "impacted" by federal activities. President Kennedy had requested cuts in the programs. The cost of these programs was estimated at \$310 million for fiscal 1962.

Before approving the bill, the Committee rejected several amendments. May 23 it rejected an amendment by Rep. Peter Frelinghuysen (R N.J.) to delete aid to teachers' salaries and require 50-50 state matching of federal funds. The vote on the amendment was 12-19, with all of the Committee Democrats against, all of the Republicans for. By a 15-16 vote it also rejected a Frelinghuysen amendment to allow the states to set aside 10 percent of their allotments for "special projects." (The Kennedy bill had made such a set-aside mandatory, but it was cut out by the Subcommittee, reportedly because Southerners feared it would be used to aid integration.) By voice vote the full Committee also rejected an amendment by Rep. Roman C. Pucinski (D Ill.) to make the 10 percent set-aside mandatory.

May 24 the Committee rejected an amendment offered by Frelinghuysen to bar aid to segregated areas. Chairman Adam C. Powell (D N.Y.), in the past a sponsor of such an amendment, led the opposition to Frelinghuysen's amendment and it was defeated 13-16. Rep. Edith Green (D Ore.) voted with the Committee's 12 Republicans for the amendment; Rep. Phil Landrum (D Ga.) was absent and Rep. Charles S. Joelson (D N.J.) abstained.

An amendment offered by Rep. Edgar W. Hiestand (R Calif.) to require public school teachers to take loyalty oaths was defeated by a 12-18 vote, with Republicans voting for, Democrats against and Landrum not voting.

An amendment by Rep. Herbert Zelenko (D N.Y.) to grant \$351 million in federal funds over three years for the construction of science, mathematics and foreign language classrooms in private schools was ruled out of

order. Powell assured Zelenko that he would support such aid as part of the National Defense Education Act.

RELATED DEVELOPMENT -- May 23 -- The House Education and Labor Committee ordered reported a clean bill (HR 7215) granting aid for college classroom construction and college scholarships. The bill had been approved May 16. (Weekly Report p. 845)

## OCEANOGRAPHIC PROGRAM

COMMITTEE -- Senate Commerce.

ACTION -- May 23 ordered reported, with technical amendments, a bill (S 901) to establish a 10-year, \$700 million program of oceanographic and Great Lakes research and surveys. Committee Chairman Warren G. Magnuson (D Wash.) issued a statement that "this country has undergone a dangerous lag in exploring inner space -- the oceans," and "security, welfare and economy demand that our knowledge of the oceans at all depths not be excelled by that of any other country."

President Kennedy March 29 requested \$97,501,000 in fiscal 1962 appropriations for an oceanographic program. The Senate in 1960 passed a bill (S 2692) to establish a similar program, but the House failed to act on the measure. (Weekly Report p. 631; 1960 Almanac p. 341)

In its major provisions, S 901: established a Division of Marine Sciences in the National Science Foundation to coordinate and evaluate a 10-year program; provided for construction of modern survey and fisheries research ships, acquisition and development of scientific instruments, modernization and construction of laboratory facilities, research grants and funds for education and training of marine scientists; authorized approximately \$700 million for the program.

The program embraced activities of various Government Departments and agencies in addition to the National Science Foundation. S 901 included a declaration of policy which said: systematic, scientific studies and surveys of the oceans and ocean floor, through a sustained program, were vital to defense against attack from the oceans and to operation of U.S. surface and subsurface naval forces with maximum efficiency, to the rehabilitation of commercial fisheries and the increased utilization of ocean resources, to expansion of commerce and navigation and development of scientific knowledge. The declaration also said the program should include maintenance of a National Oceanographic Data Center to assemble and disseminate data, and should provide for development of "formal international cooperation" in the marine sciences and oceanographic surveys on a reciprocal basis, subject to the President's approval.

## Committee Changes

The House May 15 increased by one the membership of the Science and Astronautics Committee. Rep. John W. McCormack (D Mass.) was named as the new member.

Rep. Catherine D. Norrell (D Ark.) the same day was added to the Post Office and Civil Service Committee to fill a vacancy.

Republican Reps. John C. Kunkel (Pa.) and Louise G. Reece (Tenn.) May 23 were named to the Public Works Committee. Rep. Herman T. Schneebeli (R Pa.) the same day resigned from the Committee.

## HOUSE COMMITTEE REJECTS FCC REORGANIZATION PLAN

**COMMITTEE** -- House Government Operations. **ACTION** -- May 25 ordered reported, by voice vote, a resolution (H Res 303) disapproving Reorganization Plan No. 2 for the Federal Communications Commission. The Committee the same day approved three other Reorganization Plans -- No. 1, for the Securities and Exchange Commission; No. 3, Civil Aeronautics Board; and No. 4, Federal Trade Commission.

The plans empowered the chairmen of the agencies to delegate decision-making on quasi-judicial and rule-making actions to panels of commissioners, hearing examiners, individual employees or employee boards. They provided for discretionary review by the Commissioners of decisions reached at lower levels. To insure bipartisan action, mandatory review of any lower level action could be voted by a majority of the Commissioners less one member. (Weekly Report p. 778)

**BACKGROUND** -- President Kennedy April 27 sent to Congress Reorganization Plans No. 1 and 2. Plans No. 3 and 4, similar to No. 1, were submitted May 3 and May 9, respectively. All followed closely proposals Mr. Kennedy outlined in an April 13 message to Congress on regulatory agencies. (Weekly Report p. 766)

Under the Reorganization Act of 1949, which Congress March 29 extended until June 1, 1963, the plans would take effect in 60 days unless disapproved by simple majority vote of either the House or Senate. No hearings would be required unless disapproving resolutions were introduced. (Weekly Report p. 524) Such resolutions were introduced in the House May 10 by Rep. Clare E. Hoffman (R Mich.) -- one resolution for each plan (H Res 285-288) -- and similar resolutions were introduced May 18 by Rep. John S. Monagan (D Conn.) (H Res 302-305).

Hoffman introduced his resolutions the day after a controversial speech by FCC Chairman Newton N. Minow before the National Assn. of Broadcasters. Minow criticized television programming as a "vast wasteland," said he intended to see that the stations paid their "debt" to the public "with service" and warned "there is nothing permanent or sacred about a broadcast license."

The House Interstate and Foreign Commerce Special Regulatory Agencies Subcommittee questioned FCC members in executive session May 11, 16 and 17, and went on record May 18 as opposing the plan. Subcommittee member William L. Springer (R Ill.) May 18 told the House five FCC commissioners opposed the plan during the hearings, while only two, including Minow, favored it. He said Minow's NAB speech, together with the plan, "alarmed many of us on the Subcommittee...because of the vast implications involved." The hearings showed "the Chief Executive would in effect control undiluted, in the White House, the powers now contained broadly within the Commission itself," Springer said.

Before taking action, the Executive and Legislative Reorganization Subcommittee May 18 and 19 held hearings on the President's proposals.

**TESTIMONY** -- May 18 -- SEC Chairman William L. Cary said the plan for his agency (No. 1) would be helpful in dealing with routine matters, particularly applications for new stock registrations. He said the Commissioners probably never would delegate many of their functions.

CAB Chairman Alan S. Boyd said his agency would expect to delegate only minor matters until it gained

more experience in acting under the new plan. He said there was need for more flexible agency operation to keep up with the growing air transport industry.

FTC Chairman Paul Rand Dixon said reorganization would reduce delays in handling an ever-increasing workload in his agency, that the FTC as of April 30 had 522 cases pending, and the authority of Plan No. 4 was needed to remove any doubt as to what delegations the Commission could make. He said Commissioners Robert T. Secrest and William C. Kern had voiced limited objections to the plan while Commissioner Sigurd Anderson opposed the plan generally.

### FCC CONTROVERSY

May 19 -- Minow said organizational changes were needed to clear up an "abominable" administrative situation caused by too much red tape; that he had "no interest whatever in the content of any particular program" on TV but the FCC had had an interest in programming in general for some time. He said published comments about his NAB speech, indicating he planned a censor's role for himself, "seriously misinterpreted" the address.

Minow said there was a "fundamental misconception" about the Chairman's power to assign delegated functions under the plan, that "it is the Commission, not the Chairman, which determines the type of body or individual to whom a particular matter shall be delegated; and only then does the Chairman decide who shall serve on the body or be that individual." He said even if a Chairman did abuse his assignment powers, "the short answer is the Commission, which can vote to reconsider any action it takes, would simply reverse its delegation and take up the matters itself." Minow said "the Chairman must act fairly or the Commission will in effect withdraw his power to act" and, in view of this, "the agency cannot be converted by this minor housekeeping provision."

Minow said what the plan did was "to remove the present straitjacket, in order to enable the Commission to concentrate on important matters and to cut down the Administrative lag." "If flexibility is withheld, I do not believe Congress can fairly continue much of its criticism of the administrative process," he said.

FCC Commissioner John S. Cross supported the plan, and said "we have just about reached the point where we have so much due process that we are too busy to work."

Rep. William H. Avery (R Kan.) said the plan would virtually create "a one-man Commission in the chairman" and let the White House "dominate" the FCC through a "czar."

Chairman Oren Harris (D Ark.) of the House Interstate and Foreign Commerce Committee and the Special Regulatory Agencies Subcommittee, which conducted hearings on the plan, objected specifically to two sections of the plan which would: eliminate automatic review of initial decisions by the full commission (in favor of giving the Commission discretion to grant review on a vote of three of its seven members); abolish the FCC review staff, which handles opinion-writing (in favor of reassignment of the staff). He said he did not oppose broadening delegation authority of individual members because abuses would not be permitted by the majority.

NAB President LeRoy Collins, former governor of Florida (D 1955-61) filed a statement in which he said duties of FCC commissioners "should be fixed by law,

and should not be subject to enlargement or contraction by Executive Order and Congressional passive indulgence." He said the "ultimate goal and purpose" of the plan was "laudable," but the plan "essentially" was "well within the area of patchwork change."

Robert M. Booth Jr., president of the Federal Communications Bar Assn., opposed the plan and said most of its objectives could be achieved under the Communications Act and Administrative Procedure Act.

#### SENATE ACTION

The Senate Commerce Communications Subcommittee May 23 began hearings on Reorganization Plan No. 2 (FCC). James M. Landis, the President's special assistant for regulatory agencies, joined Minow in testifying that they would agree to modification of a proposal giving the Chairman authority to delegate authority to personnel with the consent of a majority of the seven-member commission. They agreed that this authority could be overruled whenever three commissioners objected.

FCC Commissioner Frederick W. Ford, who preceded Minow as the agency's chairman, opposed the plan "because it threatens to impair the status of the agency as an independent body of seven co-equal members; because it is unlikely to achieve its objective of 'more economical and expeditious administration', and because it attempts in the name of reorganization to alter radically the procedural rights of litigants before the Commission, an undertaking far more appropriate for legislative consideration by the Congress than for Executive action pursuant to the Reorganization Act."

RELATED DEVELOPMENT -- May 18-19 -- The Senate Judiciary Administrative Practice and Procedure Subcommittee held hearings on an Administration bill (S 1734) to permit the regulatory agencies, at the commissioners' discretion, to delegate duties of presiding over hearings and making decisions either to one or more agency members or examiners. Review of decisions would be provided if: a finding of material fact was clearly erroneous; there was a precedent-setting legal conclusion; an important policy matter was involved, or conduct of the proceedings involved a prejudicial procedural error.

#### DOMESTIC SUGAR QUOTA

COMMITTEE -- House Agriculture.

HELD HEARINGS -- May 18 and 19 on long-range sugar legislation. The Committee heard testimony from domestic groups wishing to obtain quotas to grow sugar for the first time or enlarge their existing production.

BACKGROUND -- Congress March 29 extended the Sugar Act of 1948 to June 30, 1962 and granted authority to the President to take away the sugar quotas of the Dominican Republic and Cuba. A Senate amendment, requiring the President to reassign quotas of these countries first to domestic producers and then to foreign producers, was deleted in conference after Senate conferees were assured that efforts would be made to pass a long-range sugar bill before the end of the 1961 session. (Weekly Report p. 653)

TESTIMONY -- May 18 -- Arizona Gov. Paul Fannin (R) requested a sugar beet allotment for Arizona. He said his state was ideally suited for sugar production and jobs were needed for a steadily increasing population.

James W. Witherspoon of the Texas Sugar Beet Growers Assn. said the U.S. farmer was "entitled to

produce a reasonable part" of our domestic sugar consumption, and the 23 percent currently produced was "not a fair share." He asked that the U.S. be allowed to produce some of the sugar formerly obtained through the "Cuban quota".

May 19 -- John C. Lynn of the American Farm Bureau Federation recommended extension of the Sugar Act through Dec. 31, 1966 with substantial increases for domestic producers.

Orvin Marquardt of the National Reclamation Assn. Sugar Beet Legislation Committee requested increased sugar quotas to provide a more stable farm income, and a "vital defense commodity."

Also testifying both days in behalf of new or increased quotas were representatives of sugar interests from South Dakota, Minnesota, North Dakota, New Mexico, Oklahoma, Texas and Idaho.

#### ORGANIZED CRIME

COMMITTEE -- House Judiciary, Subcommittee No. 5.

BEGAN HEARINGS -- On bills to combat organized crime. The Administration submitted bills to: prohibit use of wire communication facilities for interstate transmission of gambling information (HR 7039); prohibit travel to aid racketeering enterprises (HR 6572); broaden the types of crimes for which federal authorities could apprehend and return fugitives to the states under the Fugitive Felon Act (HR 468 and HR 3023); prohibit interstate transportation of gambling paraphernalia (HR 6571); permit officials to compel testimony from and grant immunity from prosecution to witnesses before federal agencies (HR 3021). Other proposals were to: prohibit use of interstate commerce to further conspiracies to commit organized crimes (HR 5230); require communication carriers to enforce a prohibition against use of wire communication facilities for interstate transmission of gambling information (HR 6573, HR 3022). (Weekly Report p. 630).

TESTIMONY -- May 17 -- Attorney General Robert F. Kennedy said the bill to prohibit travel to aid racketeering (HR 6572) would permit prosecution of the "kingpins" of organized crime who lived beyond the jurisdiction of state and local authorities. He said HR 7039, to prevent use of wire communication facilities for interstate transmission of gambling information, would deal a "mortal blow" to gambling syndicates.

Bradford Ross submitted a statement in behalf of the U.S. Independent Telephone Assn. He said if telephone companies were forced to report suspected, illegal use of phones (HR 6573, HR 3022), they might violate provisions of the Federal Communications Act of 1934, guaranteeing against disclosure of communications.

May 18 -- Max D. Paglin and John R. Lambert of the Federal Communications Commission supported a bill to prohibit use of wire communication facilities for interstate transmission of gambling information (HR 6573). They said it was acceptable because it did not require communication carriers to enforce the prohibition against use of wire facilities. They objected to a similar bill (HR 3022) because carriers would have to enforce it.

May 19 -- Martin M. Nelson, representing a manufacturer of coin-operated amusement devices, opposed HR 5230 and HR 6572, to prohibit travel and use of interstate commerce to aid racketeering. He said both bills were unconstitutional and invaded states' rights.



## KENNEDY HOUSING BILLS ADVANCE IN BOTH CHAMBERS

Omnibus housing bills based on Administration requests moved forward in both chambers of Congress last week. (Weekly Report p. 844) Details:

### Senate

COMMITTEE -- Senate Banking and Currency.

ACTION -- May 19 reported a clean omnibus housing bill (S 1922 -- S Rept 281) carrying an authorization for new federal loans and grants that the Committee estimated would eventually come to \$6,190,000,000. For fiscal 1962, the Committee said, the new authorizations carried in the bill would cause net budget expenditures of \$462.5 million.

The report said the bill, in accord with the President's requests, was designed to stimulate the economy by providing eased credit for commercial homebuilding; to furnish new housing to two groups needing it badly, moderate-income families (those with incomes from \$4,000 to \$6,000) and low-income families (under \$4,000); to help relieve urban congestion by providing aid for development of mass transportation systems for metropolitan areas; to help relieve urban blight by continuing the urban-renewal program and establishing a new federal program to aid cities to develop "open space" areas; and to continue several older programs like farm housing, veterans' direct loans for housing, as well as to extend Federal Housing Administration mortgage-loan guarantees.

A secondary feature in many of the new or extended programs was adjustment of programs so that maximum use would be made of existing buildings, which could be rehabilitated rather than replaced, in order to broaden the amount of housing available in urban-blight and low-income areas.

The Committee indicated it was still in accord with provisions of the National Housing Act of 1949 which stated as the primary purpose of housing programs "to provide" a decent home and suitable living environment for every American family."

Following is a summary of the major provisions of the bill as reported by the Committee:

**Title I, New Programs.** The bill established five new categories of mortgage loans that could be insured by the FHA against loss by the lender. In each case, the objective was to encourage lending institutions to make loans for particular types of housing without fear of loss on the loans. The FHA's mortgage-guarantee authority under this title was extended to cover:

1. Forty-year, no-downpayment, limited-interest (5 to 6 percent) loans, made to commercial developers, for construction or rehabilitation of housing for moderate-income families.

2. Forty-year, no-downpayment, limited-interest loans (at below the market rate), made to non-profit organizations and public agencies, for construction and rehabilitation of five-family (or larger) dwellings for moderate-income families.

The Committee said the two programs for loan guarantees on 40-year, no-downpayment loans were to be conducted on an experimental basis, and the bill limited the FHA's authority to contract for any new guarantees under these programs to July 1, 1963.

3. Twenty-five year, limited-interest (no more than 6 percent) loans for improvement of existing dwellings

within urban-renewal areas or one-to-four-family dwellings outside such areas. Loans under this program could be as high as \$10,000 per family unit. (This program was in addition to the existing home-improvement loan program, see below, Title VII)

4. Regular mortgage-loans on housing incorporating new and advanced design and techniques.

5. Loans on condominium housing -- apartments in a multi-family dwelling that are individually owned and have individual mortgages.

**Title II, Elderly, Public Housing.** The bill expanded to \$100 million the authorization for an existing \$50 million revolving loan fund, established in 1959, to make direct loans to non-profit groups at below the market rate for construction of housing for the elderly, and expanded the types of agencies eligible to receive such loans.

The bill (in effect) authorized the Public Housing Administration to contract for construction by local public housing agencies of an additional 100,000 public housing units. It also authorized \$10 million for demonstration programs (by local housing authorities) experimenting with new methods of providing housing for low-income families. The limit on per room expenditures for public housing for the elderly was raised from \$2,500 to \$3,000.

**Title III, Urban Renewal and Planning.** The Committee said that through April 30, 1961, all but \$21 million of the existing \$2 billion previously authorized for federal capital grants for urban-renewal projects had been committed. The bill authorized an additional \$2.5 billion for the federal grants.

Of that, \$50 million was set aside for federal grants to local agencies to cover two-thirds of the costs of mass-transportation demonstration projects. (See also urban planning, this Title, and Title IV, below, for additional mass-transport authority).

The bill also made small businesses losing goodwill or profit when forced to move by urban-renewal projects eligible for Small Business Act low-interest (3 percent) disaster loans.

Other major changes in urban renewal provisions were designed to encourage development of moderate-income and public housing accommodations in urban-renewal areas, to help colleges and hospitals clear blighted areas surrounding them, to induce private builders to rehabilitate housing in an urban-renewal area. These provisions permitted local urban-renewal agencies to sell land and property -- at a lower cost than might be obtainable from private commercial builders -- to cooperatives, non-profit organizations and public agencies (and also certain private builders operating under Title I, above) who intended to build moderate income rental units on the land.

They also made all urban-renewal land eligible for reduced-priced sale to public housing agencies, provided for demonstration building-rehabilitation projects and made numerous changes in the urban-renewal laws with regard to colleges and hospitals.

The Committee said a \$20 million fund for 50-50 matching grants to the states and localities for planning various types of urban and small-city rehabilitation projects was three-quarters used up. To encourage more such regional and small-city planning, the bill authorized an additional \$80 million and raised the federal share to two-thirds of the cost of the planning project.



### Cost Estimates

The Committee gave the following figures for increases made by the bill in federal housing program authorizations (millions of dollars):

Program	Program Authorizations		
	Existing	Under S 1922	Total
FNMA	\$ 950	\$ 750	\$ 1,700
College Housing Loans	1,675	1,350	3,025
Community Facilities Loans	150	50	200
Mass-transport loans	--	100	100
Elderly revolving fund	50	50	100
Urban renewal grants	2,000	2,500	4,500
Urban planning grants	20	80	100
Public housing annual contributions	(336)*	--	(336)
Public housing demonstration grants	--	10	10
Open space grants	--	100	100
VA direct loans	1,575	1,200	2,775
<b>TOTALS</b>	<b>\$6,420</b>	<b>\$6,190</b>	<b>\$12,610</b>

\*Funds were previously authorized but public-housing units to use up the funds were not.

The bill made clear that mass-transportation studies could be financed by the planning fund. (See above, this Title, and Title IV, below, for additional mass-transportation funds.)

In addition, the bill gave states blanket authority in advance to conclude interstate compacts to undertake joint planning projects.

**Title IV, College Housing, Community Facilities and Mass Transport.** The Committee said that of \$1,675,000,000 available in a federal revolving fund for low-interest, long-term (up to 50-year) loans to colleges, universities and hospitals for construction of housing, only \$42 million was still uncommitted as of April 30. In view of the great increase in college attendance expected in the 1960s, the Committee recommended raising the revolving fund by \$100 million immediately and by \$250 million a year on July 1 of each year from 1961 to 1965-bringing the total in the fund to \$3,025,000,000 as of July 1, 1965. The bill raised the limit on the portion of the fund that could be spent for dining halls, student centers and other non-housing facilities on college and university campuses to \$175 million immediately and to \$300 million (reached in annual \$25 million steps) by July 1, 1965. Similarly, the portion available to hospitals for housing for nurses and interns was raised to \$225 million in six steps by July 1, 1965.

The bill raised from \$150 million to \$300 million the existing community facilities loan fund, used by the

Federal Government to make loans to localities (40-year, low-interest loans) for improvement of water, gas and sewage plants.

But it reserved \$100 million of the community facilities increase for low-interest loans to metropolitan agencies for construction of mass-transportation systems. (See also Title III, urban-renewal capital grants, and urban-planning matching grants, for two other authorities in the bill for mass-transportation projects.)

**Title V, National Housing Act Changes.** The major provisions of Title V:

1. Authorized the Federal National Mortgage Assn. (FNMA) to borrow an additional \$750 million from the Treasury for its special-assistance program. The increase brought total FNMA authority under the special assistance program to \$1.7 billion. The Committee said much of the new authority would be used to purchase mortgages guaranteed by the FHA under the new home-improvement and 40-year, below market-rate programs established by Title I of the bill.

2. Extended the existing home-improvement loan guarantee program for two years, to Oct. 31, 1963, without increasing the \$1,750,000,000-limit on the aggregate of loans insurable at any one time. Loans under this program are limited to \$3,500 and five years. (See also Title I, item 3, above, for a new home-loan improvement program.)

3. Lifted the dollar limit on the aggregate of loans that could be insured by the FHA for all general mortgage-insurance programs. (The limit was \$37.8 billion as last raised in the 1959 housing bill.) This provision also made Oct. 1, 1965, the cut-off date on the FHA's authority to insure new loans. The Committee said the time limit in no way indicated an intention to end the FHA mortgage-loan insurance programs.

4. Extended for one year, through Oct. 1, 1962, the FHA's authority to insure mortgages on housing for military personnel and civilian armed-service employees in the areas around defense installations (so-called Capehart housing) and on similar housing around National Aeronautics and Space Administration and Atomic Energy Commission installations. The bill also raised from 25,000 to 37,000 the number of housing units that could be built under the Capehart program after June 30, 1959.

5. The bill permitted the FHA to reduce its premium on any regular mortgage insurance from one-half of 1 percent to one-quarter of 1 percent.

**Title VI, Open Space and Urban Development.** The bill authorized \$100 million for federal grants to states and localities to pay up to 35 percent of the cost of acquisition of land in and around urban areas to create "open space" areas. Open-space land was to be used to develop recreation, conservation, scenic, scientific and esthetic areas (parks, etc.).

**Title VII -- Other Programs.** The bill extended the farm housing program for five years, though June 30, 1966, and continued in effect a \$450 million authorization granted by Congress in 1956 for the loans to farmers authorized by the program. The Committee said \$207 million of the \$450 million was still unused, so additional financing was not needed at present.

Other major provisions of Title VII:

- Extended the Voluntary Home Mortgage Credit Program for four years, through Oct. 1, 1965.

- Extended through July 25, 1967 the period during which a World War II veteran could receive a Veterans' Administration housing loan under the Veterans' Direct-

Loan Program, and through Jan. 31, 1975 the period during which a Korean War veteran could receive such a loan. The authorization for the veterans' direct-loan program was increased from the existing \$1,575,000,000 figure to \$2,775,000,000 -- an increase of \$1.2 billion. The additional \$1.2 billion authority was to be added in seven steps ending June 30, 1966.

#### INDIVIDUAL VIEWS

The following Senators filed separate views:

• Chairman A. Willis Robertson (D Va.) -- Opposed "this extravagant and inflationary" bill, financed largely, Robertson said, by "backdoor" spending.

• Homer E. Capehart (R Ind.), Wallace F. Bennett (R Utah) and J. Glenn Beall (R Md.) -- Said the bill contained many good features but was full of excesses that created long-range programs, justifying them entirely illogically by reference to a short-range slow-up in housing starts. The three Senators said that the 40-year middle income programs were "unsound and unreasonable", would not add much money to the housing market but simply soak up money already available in it; that 100,000 additional public housing units were not needed, only 35,000.

• Bennett -- In additional supplemental views, Bennett said the FHA insurance provision to stimulate 40-year, no-downpayment loans at below market rate for construction of moderate-income housing by non-profit organizations was really no more than a disguised program of public housing for middle-income persons.

• Jacob K. Javits (R N.Y.) -- Said S 1922 as reported "represents a major forward step" but the 40-year, no-downpayment, below-market-rate loan programs were not a good way to insure housing for moderate-income families. Javits said up to now, FHA mortgage-insurance had been used for commercial, market-rate loans, and that it was not a good idea to change this precedent in the manner proposed. Javits said a better way to stimulate building of moderate-income housing was contained in his own proposal to create a Federal Limited Mortgage Profit Corp. which would borrow money by selling stock on the open market and then lend it at from 4 to 6 percent to builders of housing for moderate-income persons. The FLMPC would receive an initial \$100 million stock subscription from the Treasury to get it started, Javits said.

#### House

COMMITTEE -- House Banking and Currency, Housing Subcommittee.

ACTION -- May 24 by a 6-3 vote approved an omnibus housing bill, in the form of a committee print, that Subcommittee Chairman Albert Rains (D Ala.) said authorized \$4.9 billion in new or extended grant and loan programs.

The bill was basically similar to the Senate measure but differed in these major respects: (1) since the House April 13 had passed a bill (HR 5723) extending the veterans' direct-loan program, no provision on that program was carried in the omnibus housing bill; (2) none of the provisions of the Senate bill providing funds for mass-transportation demonstration projects (\$50 million) and programs (\$100 million) was included in the House version; Rains said no hearings on the subject had been held and the mass-transportation proposals were

not considered by the Subcommittee, and the Administration reportedly had decided not to press for the legislation, pending completion of a Commerce Department transit study in October; (3) the House bill raised the revolving loan fund for the elderly to \$150 million, compared to \$100 million in the Senate bill; (4) the House bill increased urban-renewal grants by only \$2 billion, compared to the Senate's \$2.5 billion, and urban planning grants to \$50 million, compared to the Senate's \$100 million; (5) the House bill increased college housing funds by \$1.2 billion compared to the Senate's \$1,350,000,000; (6) the House bill increased community facilities loan funds to \$650 million, all for sewage, gas and water plants, compared to the Senate bill's \$300 million (of which \$100 million was set aside for mass transportation); the House bill added an additional \$200 million authority to the \$207 million remaining available for the farm housing program, while the Senate bill simply extended the \$207 million.



#### Political Notes

#### INDIANA ELECTION

The House Elections Subcommittee May 23 declared Rep. J. Edward Roush (D) the winner of Indiana's disputed 5th Congressional District election by 99 votes over George O. Chambers (R). (Weekly Report p. 315)

The Subcommittee recount of the ballots cast in the November 8, 1960 election gave Roush 107,357 votes and Chambers 107,258.

The decision of the Subcommittee is expected to be approved by the House Administration Committee and the full House.

Chambers had been certified winner of the election by 12 votes, while Roush, who was the incumbent, claimed victory by two votes.

The House Jan. 3 refused to seat either man pending a recount by the Subcommittee of the ballots cast in the election.

RELATED DEVELOPMENT -- The swearing in of Rep. John C. Kunkel (R Pa.) May 22 and Rep. Louise Goff Reece (R Tenn.) May 23 (Weekly Report p. 856, 858) plus the decision in the disputed Indiana election (see above) brought the House to full strength for the first time in the 87th Congress. The lineup now stands at 263 Democrats and 174 Republicans.

#### SCHERER TO RETIRE

Rep. Gordon H. Scherer (R Ohio, 1st District), 55, ranking Republican member of the House Un-American Activities Committee and second ranking Republican on the House Public Works Committee, May 12 said he would not seek re-election in 1962. He has been a member of Congress since 1953.

Scherer said he wished to spend more time with his family at his home in Cincinnati and intended to resume his law practice there. He said he did not have plans for any political office.

Scherer was the second House member to announce his retirement this year. Rep. Francis E. Walter (D Pa.), Chairman of the House Un-American Activities Committee, Feb. 27 said he would not run for re-election in 1962. (Weekly Report p. 355)

## Senate Upholds Interest Ceiling on Latin America Aid, Turns Down Four Republican Amendments to School Bill

40. HR 6518. Appropriate \$500 million for the Inter-American Social and Economic Cooperation Program and \$100 million for the Chilean Reconstruction and Rehabilitation Program. Hayden (D Ariz.) motion that the Senate recede from its amendment, adopted May 9, setting an interest rate ceiling of eight percent on Inter-American Program funds reloaned by agencies in recipient countries. Motion to recede rejected 0-95 (D 0-61; R 0-34), May 18, 1961. The President did not take a position on the motion. (See story p. 875)

41. S 1021. School Assistance Act of 1961, providing \$2.5 billion in grants for public school construction and teachers' salaries. Cotton (R N.H.) amendment, modified by Miller (R Iowa), to return to each state for education purposes 3 cents of the 8-cent tax collected on each pack of cigarettes sold in the state. Rejected 29-63 (D 11-49; R 18-14), May 19, 1961. A "nay" was a vote supporting the President's position. (See story p. 873)

42. S 1021. Proxmire (D Wis.) amendment, modified by Miller, to add language stating that the money allocated to each state constituted a return of a certain portion of the federal tax on personal income collected from residents of the state. Rejected 22-73 (D 12-49; R 10-24), May 19, 1961. The President did not take a position on the amendment.

43. S 1021. Cooper (R Ky.)-Javits (R N.Y.) substitute formula granting a minimum of \$20 per public school child, with higher allocations to the richest and poorest states than S 1021 provided. Rejected 33-50 (D 10-43; R 23-7), May 19, 1961. A "nay" was a vote supporting the President's position.

44. S 1021. Morse (D Ore.) motion to table Bush (R Conn.) amendment declaring that funds should be granted only to states "proceeding toward full compliance with the constitutional requirement that racial discrimination be ended in public schools." Tabling motion agreed to 61-25 (D 54-4; R 7-21), May 22, 1961. The President did not take a position on the amendment.

TOTAL						DEMOCRATIC						REPUBLICAN					
Vote No.	40	41	42	43	44	Vote No.	40	41	42	43	44	Vote No.	40	41	42	43	44
Yes	0	29	22	33	61	Yes	0	11	12	10	54	Yes	0	18	10	23	7
Nay	95	63	73	50	25	Nay	61	49	49	43	4	Nay	34	14	24	7	21

I I I I I						I I I I I						I I I I I						Y Record Vote For (yea). ✓ Paired For. ‡ Announced For, CQ Poll For. M Record Vote Against (nay). X Paired Against. ? Announced Against, CQ Poll Against. ? Absent, General Pair, "Present," Did not announce or answer Poll.						
ALABAMA						INDIANA						NEBRASKA						SOUTH CAROLINA						
Hill	N	N	N	N	Y	Hartke	N	N	N	X	Y	Curtis	N	Y	N	Y	N	Y	Johnston	N	Y	Y	Y	Y
Sparkman	N	N	N	N	Y	Capehart	N	Y	Y	✓	N	Hruska	N	Y	N	Y	✓	N	Thurmond	N	Y	Y	Y	Y
ALASKA						IOWA						NEVADA						SOUTH DAKOTA						
Bartlett	N	N	N	N	Y	Hickenlooper	N	Y	Y	N	N	Bible	N	Y	N	N	Y	Y	Case	N	Y	Y	N	N
Gruening	-	-	-	X	Y	Miller	N	Y	Y	Y	N	Cannon	N	N	N	N	Y	Y	Mundt	N	Y	Y	N	N
ARIZONA						KANSAS						NEW HAMPSHIRE						TENNESSEE						
Hayden	N	N	N	N	Y	Carlson	N	✓	N	N	X	Bridges	N	Y	N	Y	Y	Y	Gore	N	N	N	N	Y
Goldwater	N	Y	Y	Y	N	Schoeppel	N	Y	N	Y	N	Cotton	N	Y	N	Y	✓	Y	Kefauver	N	N	N	N	Y
ARKANSAS						KENTUCKY						NEW JERSEY						TEXAS						
Fulbright	N	N	N	✓	Y	Cooper	N	-	N	Y	‡	Williams	N	N	N	N	Y	Y	Blakley	-	-	✓	-	‡
McClellan	N	Y	Y	Y	Y	Morton	? N	N	Y	?		Case	N	N	N	Y	N	Y	Yarborough	N	N	N	N	Y
CALIFORNIA						LOUISIANA						NEW MEXICO						UTAH						
Engle	N	N	N	✓	Y	Ellender	N	N	N	X	Y	Anderson	N	N	N	X	Y	Y	Moss	N	N	N	N	Y
Kuchel	N	N	N	Y	X	Long	N	Y	Y	N	Y	Chavez	-	-	X	X	‡	Y	Bennett	N	X	-	X	‡
COLORADO						MAINE						NEW YORK						VERMONT						
Carroll	N	-	N	N	Y	Muskie	N	N	N	N	Y	Javits	N	N	N	Y	Y	Y	Aiken	N	N	N	N	Y
Allott	N	Y	N	Y	N	Smith	N	N	N	Y	N	Keating	N	N	N	Y	N	Y	Prouty	N	N	N	N	Y
CONNECTICUT						MARYLAND						NORTH CAROLINA						VIRGINIA						
Dodd	N	N	N	N	Y	Beall	N	N	N	Y	N	Ervin	N	N	N	Y	Y	Y	Byrd	N	N	N	?	Y
Bush	N	N	N	N	Y	Butler	N	Y	N	Y	Y	Jordan	N	N	N	Y	✓	Y	Robertson	N	N	N	?	Y
DELAWARE						MASSACHUSETTS						NORTH DAKOTA						WASHINGTON						
Boggs	N	Y	N	Y	N	Smith	N	N	N	N	Y	Burdick	N	N	N	N	Y	Y	Jackson	N	N	N	N	Y
Williams	N	Y	N	Y	Y	Saltonstall	N	N	N	Y	N	Young	N	Y	Y	N	Y	Y	Magnuson	N	N	N	N	Y
FLORIDA						MICHIGAN						OHIO						WEST VIRGINIA						
Holland	N	Y	Y	Y	Y	Hart	N	N	N	N	X	Lausche	N	Y	Y	Y	N	Y	Byrd	N	N	N	N	✓
Smathers	N	Y	Y	N	Y	McNamara	-	-	-	N	Y	Young	N	N	N	X	Y	Y	Randolph	N	N	N	N	✓
GEORGIA						MINNESOTA						OKLAHOMA						WISCONSIN						
Russell	N	Y	Y	N	Y	Humphrey	N	N	N	N	Y	Kerr	N	N	N	N	Y	Y	Proxmire	N	N	Y	N	Y
Talmadge	N	Y	Y	N	Y	McCarthy	N	N	N	N	Y	Monroney	N	N	N	N	Y	Y	Wiley	N	N	Y	Y	Y
HAWAII						MISSISSIPPI						OREGON						WYOMING						
Long	N	N	N	N	Y	Eastland	N	Y	Y	Y	Y	Morse	N	N	N	N	Y	Y	Hickey	N	N	N	N	Y
Fong	N	N	N	Y	N	Sennis	N	Y	Y	Y	Y	Neuberger	N	N	N	N	Y	Y	McGee	N	N	N	N	Y
IDAHO						MISSOURI						PENNSYLVANIA						Y						
Church	N	N	N	N	Y	Long	N	N	N	N	Y	Clark	N	N	Y	Y	Y	Y						
Dworsbak	N	Y	Y	Y	N	Symington	N	N	N	N	Y	Scott	N	Y	Y	Y	Y	Y						
ILLINOIS						MONTANA						RHODE ISLAND						Y						
Douglas	N	N	N	Y	N	Mansfield	N	N	N	N	✓	Pastore	N	N	N	N	N	N						
Dirksen	N	N	N	✓	X	Metcalf	N	N	N	N	Y	Pell	N	N	N	N	N	N						

Democrats in this type; Republicans in italics

## CQ Senate Votes 45 through 49.

# Senate Approves Broadening of School Aid Bill, 51-39, Rejects Four Additional Amendments by Large Margins

45. S 1021. School Assistance Act of 1961. Prouty (R Vt.) amendment to permit use of funds in the bill for operation and maintenance costs of public schools as well as for public school construction and teachers' salaries, and make voluntary the setting aside of 10 percent of the funds for "special projects." Accepted 51-39 (D 42-18; R 9-21), May 23, 1961. The President did not take a position on the amendment. (See story p. 873. For earlier votes, see preceding chart.)
46. S 1021. Keating (R N.Y.) amendment to authorize taxpayers' suits against unconstitutional expenditures of funds under the bill. Rejected 32-62 (D 2-59; R 30-3), May 23, 1961. The President did not take a position on the amendment.
47. S 1021. Goldwater (R Ariz.) substitute bill granting college scholarships, giving tax credits for local property taxes used for construction and maintenance of public schools, and grant-

ing tax relief to parents of college students. Rejected 10-79 (D 3-55; R 7-24), May 23, 1961. A "nay" was a vote supporting the President's position.

48. S 1021. Lausche (D Ohio) amendment to restore the original authorization and allocation formula suggested by the Administration, counting only children in public schools when allocating funds. Rejected 32-61 (D 8-54; R 24-7), May 24, 1961. A "nay" was a vote supporting the President's position.

49. S 1021. Morse (D Ore.) motion to table (reject) Goldwater (R Ariz.) amendment to authorize \$351 million over three years for loans for construction of private elementary and secondary schools. Tabling motion agreed to 66-25 (D 51-9; R 15-16), May 24, 1961. A "yea" was a vote supporting the President's position.

TOTAL						DEMOCRATIC						REPUBLICAN					
Vote No.	45	46	47	48	49	Vote No.	45	46	47	48	49	Vote No.	45	46	47	48	49
Yea	51	32	10	32	66	Yea	42	2	3	8	51	Yea	9	30	7	24	15
Nay	39	62	79	61	25	Nay	18	59	55	54	9	Nay	21	3	24	7	16

45 46 47 48 49					45 46 47 48 49					45 46 47 48 49					45 46 47 48 49				
ALABAMA					INDIANA					NEBRASKA					SOUTH CAROLINA				
Hill	Y	N	N	N	Y	Hartke	Y	N	N	N	Y	Curtis	N	Y	Y	Y	Y	Y	Y
Sparkman	Y	N	N	N	Y	Capehart	N	Y	Y	Y	Y	Hruska	N	Y	Y	Y	Y	Y	Y
ALASKA					IOWA					NEVADA					NEW HAMPSHIRE				
Bartlett	Y	N	N	N	Y	Hickenlooper	N	Y	N	✓	?	Bible	Y	N	N	N	Y	Y	Y
Gruening	Y	N	-	N	Y	Miller	N	Y	N	Y	Y	Cannon	Y	N	N	N	Y	Y	Y
ARIZONA					KANSAS					NEW JERSEY					NEW MEXICO				
Hayden	Y	N	N	Y	Y	Carlson	N	Y	?	?	Y	Bridges	N	Y	Y	Y	N	N	N
Goldwater	N	N	Y	Y	N	Schoepfel	N	Y	Y	Y	✓	Cotton	N	Y	N	Y	N	Y	N
ARKANSAS					KENTUCKY					NEW YORK					NORTH CAROLINA				
Fulbright	Y	N	X	N	Y	Cooper	✓	Y	N	Y	Y	Williams	Y	N	N	N	Y	N	N
McClellan	N	N	N	N	Y	Morton	N	Y	N	?	Y	Case	Y	Y	N	Y	N	N	N
CALIFORNIA					LOUISIANA					NEW MEXICO					NEW YORK				
Engle	Y	N	N	N	Y	Ellender	N	N	N	N	Y	Anderson	Y	N	N	X	±	±	±
Kuchel	Y	Y	N	N	N	Long	Y	N	N	N	N	Chavez	±	X	-	-	±	±	±
COLORADO					MAINE					NEW YORK					NORTH CAROLINA				
Carroll	X	✓	✓	Y	Y	Muskie	N	N	N	N	Y	Javits	Y	Y	N	Y	Y	Y	Y
Allott	Y	Y	N	?	X	Smith	N	N	N	N	Y	Keating	Y	Y	N	Y	N	Y	N
CONNECTICUT					MARYLAND					NORTH CAROLINA					UTAH				
Dodd	N	N	N	Y	N	Beall	Y	Y	N	Y	N	Ervin	N	N	N	N	Y	Y	Y
Busb	Y	Y	N	?	X	Butler	N	Y	N	Y	Y	Jordan	N	N	N	N	Y	Y	Y
DELAWARE					MASSACHUSETTS					NORTH DAKOTA					VERMONT				
Boggs	N	Y	N	Y	N	Smith	Y	N	N	N	Y	Burdick	Y	N	N	N	Y	Y	Y
Williams	N	Y	N	Y	N	Saltonstall	X	Y	N	Y	N	Young	N	N	N	N	X	X	X
FLORIDA					MICHIGAN					OHIO					VIRGINIA				
Holland	N	N	N	Y	Y	Hart	Y	Y	N	N	N	Lausche	Y	N	N	Y	N	N	N
Smathers	N	N	N	N	Y	McNamara	Y	N	N	N	Y	Young	Y	N	N	Y	Y	Y	Y
GEORGIA					MINNESOTA					OKLAHOMA					WASHINGTON				
Russell	N	N	N	N	Y	Humphrey	Y	N	N	N	Y	Kerr	Y	N	N	N	Y	Y	Y
Talmadge	N	N	N	N	Y	McCarthy	Y	N	N	N	✓	Monroney	Y	N	-	N	Y	Y	Y
HAWAII					MISSISSIPPI					OREGON					WEST VIRGINIA				
Long	Y	N	N	N	Y	Eastland	N	N	Y	Y	Y	Morse	Y	N	N	N	Y	Y	Y
Fong	Y	Y	N	N	N	Stennis	N	N	Y	Y	Y	Neuberger	Y	N	N	N	Y	Y	Y
IDAHO					MISSOURI					PENNSYLVANIA					WISCONSIN				
Church	Y	N	N	N	Y	Long	Y	N	N	N	Y	Clark	N	N	N	N	Y	Y	Y
Dworshak	N	Y	N	Y	Y	Symington	Y	N	N	N	Y	Scott	N	Y	N	Y	N	Y	Y
ILLINOIS					MONTANA					RHODE ISLAND					WYOMING				
Douglas	N	Y	N	Y	N	Mansfield	✓	X	N	N	Y	Pastore	Y	N	N	N	N	N	N
Dirksen	X	✓	X	Y	N	Metcalf	Y	N	N	N	Y	Pell	Y	N	N	N	N	N	N

Democrats in this type; Republicans in italics



## Senate Passes President's School Aid Bill, 49-34, After Turning Down Additional Financing Changes

50. S 1021. School Assistance Act of 1961. CASE (R S.D.) substitute bill to set aside one percent of federal income taxes to be returned to the states, on the basis of their school-age population, for education purposes. Rejected 30-61 (D 1C-50; R 20-11), May 24, 1961. A "nay" was a vote supporting the President's position. (See story p. 873. For earlier votes, see preceding charts.)
51. S 1021. Cooper (R Ky.)-Javits (R N.Y.) amendment to reduce the authorization from \$2,550,000,000 to \$2,298,000,000, as originally requested by the Administration. Rejected 30-59 (D 5-54; R 25-5), May 24, 1961. A "nay" was a vote supporting the President's position.
52. S 1021. Morse (D Ore.) motion to table (reject) Talmadge (D Ga.) amendment to bar the withholding of funds from any

state education agency "which has complied with the provisions of this Act." Tabling motion agreed to 61-30 (D 35-25; R 26-5), May 24, 1961. The President did not take a position on the motion.

53. S 1021. Miller (R Iowa) amendment to limit the administrative costs of the program to \$1 million annually. Rejected 24-63 (D 3-55; R 21-8), May 24, 1961. The President did not take a position on the amendment.
54. S 1021. Passage of the bill authorizing \$2,550,000,000 in grants to the states to be used for operation, maintenance and construction of public schools and for teachers' salaries. Passed 49-34 (D 41-12; R 8-22), May 25, 1961. A "yea" was a vote supporting the President's position.

TOTAL						DEMOCRATIC						REPUBLICAN					
Vote No.	50	51	52	53	54	Vote No.	50	51	52	53	54	Vote No.	50	51	52	53	54
Yea	30	30	61	24	49	Yea	10	5	35	3	41	Yea	20	25	26	21	8
Nay	61	59	30	63	34	Nay	50	54	25	55	12	Nay	11	5	5	8	22

50 51 52 53 54						50 51 52 53 54						50 51 52 53 54					
<b>ALABAMA</b>						<b>INDIANA</b>						<b>NEBRASKA</b>					
Hill	N	N	N	N	Y	Hartke	N	N	Y	N	Y	Curtis	Y	Y	Y	Y	N
Sparkman	N	N	N	N	✓	Capehart	Y	Y	Y	Y	N	Hruska	Y	Y	N	Y	N
<b>ALASKA</b>						<b>IOWA</b>						<b>NEVADA</b>					
Bartlett	N	N	Y	N	Y	Hickenlooper	? ? ? ? ✓ X	Bible	N	N	Y	N	Bible	N	N	Y	N
Gruening	N	N	N	N	✓	Miller	Y	Y	Y	Y	N	Cannon	N	N	Y	N	Y
<b>ARIZONA</b>						<b>KANSAS</b>						<b>NEW HAMPSHIRE</b>					
Hayden	N	N	Y	N	Y	Carlson	? ? ? ? ? ✓	Case	Y	✓	Y	? N	Bridges	Y	✓	Y	? N
Goldwater	Y	Y	Y	Y	N	Schoeppel	Y	Y	N	Y	N	Cotton	Y	Y	Y	Y	X
<b>ARKANSAS</b>						<b>KENTUCKY</b>						<b>NEW JERSEY</b>					
Fulbright	N	N	N	N	✓	Cooper	N	Y	Y	? Y	Y	Williams	N	N	Y	N	Y
McClellan	Y	N	N	N	X	Morton	N	Y	Y	Y	N	Case	N	N	Y	N	Y
<b>CALIFORNIA</b>						<b>LOUISIANA</b>						<b>NEW MEXICO</b>					
Engle	N	N	Y	N	Y	Ellender	N	N	N	N	N	Anderson	-	X	✓	X	✓
Kuchel	N	Y	Y	Y	Y	Long	Y	N	N	N	N	Chavez	X	X	✓	X	✓
<b>COLORADO</b>						<b>MAINE</b>						<b>NEW YORK</b>					
Carroll	N	N	Y	N	Y	Muskie	N	N	Y	N	Y	Javits	Y	Y	Y	N	Y
Allott	N	Y	Y	Y	N	Butler	N	N	Y	N	Y	Keating	Y	Y	Y	N	N
<b>CONNECTICUT</b>						<b>MARYLAND</b>						<b>NORTH CAROLINA</b>					
Dodd	N	Y	Y	N	N	Beall	Y	Y	Y	N	N	Ervin	N	N	N	N	Y
Bush	? ✓ ? ? -					Butler	Y	Y	N	Y	N	Jordan	N	N	N	N	Y
<b>DELAWARE</b>						<b>MASSACHUSETTS</b>						<b>NORTH DAKOTA</b>					
Boggs	Y	Y	Y	Y	N	Smith	N	N	Y	N	Y	Burdick	N	N	Y	N	Y
Williams	Y	Y	Y	Y	N	Saltonstall	N	Y	Y	Y	N	Young	Y	Y	N	Y	N
<b>FLORIDA</b>						<b>MICHIGAN</b>						<b>OHIO</b>					
Holland	Y	Y	N	N	N	Hart	N	N	Y	N	Y	Lausche	Y	Y	Y	N	Y
Smathers	Y	N	N	N	Y	McNamara	N	N	Y	N	Y	Young	N	N	N	Y	N
<b>GEORGIA</b>						<b>MINNESOTA</b>						<b>OKLAHOMA</b>					
Russell	Y	N	N	✓	N	Humphrey	N	N	Y	N	Y	Kerr	N	N	N	N	✓
Talmadge	Y	N	N	N	X	McCarthy	-	X	✓	-	✓	Monroney	N	N	Y	N	Y
<b>HAWAII</b>						<b>MISSISSIPPI</b>						<b>OREGON</b>					
Long	N	N	Y	N	Y	Eastland	Y	N	N	Y	N	Morse	N	N	Y	N	Y
Fong	N	N	Y	Y	Y	Tennis	Y	N	N	N	N	Neuberger	N	N	Y	N	✓
<b>IDAHO</b>						<b>MISSOURI</b>						<b>PENNSYLVANIA</b>					
Church	N	N	Y	N	Y	Long	N	N	Y	N	Y	Clark	N	N	Y	N	Y
Dworsbak	Y	Y	Y	Y	N	Symington	N	N	Y	N	Y	Scott	N	Y	Y	N	N
<b>ILLINOIS</b>						<b>MONTANA</b>						<b>RHODE ISLAND</b>					
Douglas	N	N	Y	N	Y	Mansfield	N	N	N	N	Y	Pastore	N	N	Y	N	Y
Dirksen	Y	Y	Y	Y	N	Metcalf	N	N	N	N	Y	Pell	N	N	Y	N	Y

Y Record Vote For (yea).  
✓ Paired For.  
X Announced For, CQ Poll For.  
N Record Vote Against (nay).  
X Paired Against.  
- Announced Against, CQ Poll Against.  
? Absent, General Pair, "Present," Did not announce or answer Poll.

50 51 52 53 54

<b>SOUTH CAROLINA</b>					
Johnston	N	N	N	N	N
Thurmond	Y	Y	N	Y	N
<b>SOUTH DAKOTA</b>					
Case	Y	Y	N	Y	N
Mundt	Y	Y	Y	N	N
<b>TENNESSEE</b>					
Gore	-	X	✓	-	Y
Kefauver	N	N	N	X	Y
<b>TEXAS</b>					
Blakley	✓	✓	X	✓	X
Yarborough	N	N	N	N	Y
<b>UTAH</b>					
Moss	N	N	Y	N	Y
Bennett	Y	Y	Y	Y	N
<b>VERMONT</b>					
Aiken	N	N	Y	N	Y
Probst	? ? ? ? ?				
<b>VIRGINIA</b>					
Byrd	N	Y	N	N	N
Robertson	N	✓	N	N	X
<b>WASHINGTON</b>					
Jackson	N	N	Y	N	Y
Magnuson	N	N	Y	N	Y
<b>WEST VIRGINIA</b>					
Byrd	N	N	Y	N	Y
Randolph	N	N	Y	N	Y
<b>WISCONSIN</b>					
Proxmire	Y	N	Y	N	Y
Wiley	Y	N	Y	N	Y
<b>WYOMING</b>					
Hickey	N	N	N	N	N
McGee	N	N	Y	N	Y

Democrats in this type; Republicans in Italics

# CQ House Vote 32.

(Corresponding to Congressional Record Roll-Call Vote No. 64.)

## House Approves \$12.4 Billion Authorization, 402-0, For Fiscal 1962 Procurement of Aircraft, Missiles, Ships

32. S 1852. Authorize appropriations of \$12,368,000,000 for procurement of aircraft, missiles and naval ships in fiscal 1962. Passed 402-0 (D 236-0; R 166-0), May 24, 1961. A "yea" was a vote supporting the President's position. (See story p. 876)

TOTAL					DEMOCRATIC					REPUBLICAN				
Vote No.		32			Vote No.		32			Vote No.		32		
Yea		402			Yea		236			Yea		166		
Nay		0			Nay		0			Nay		0		

32		32		32		- KEY -
ALABAMA		19 Holifield	?	HAWAII		Y Record Vote For (yea).
3 Andrews	Y	17 King	Y	AL Inouye	Y	✓ Paired For.
1 Boykin	Y	26 Roosevelt	Y	IDAHO		± Announced For, CQ Poll For.
7 Elliott	Y	16 Bell	Y	2 Harding	Y	N Record Vote Against (nay).
2 Grant	Y	21 Hiestand	Y	1 Pfost	Y	X Paired Against.
9 Huddleston	Y	18 Hosmer	Y	ILLINOIS		- Announced Against, CQ Poll Against.
8 Jones	Y	24 Lipscomb	Y	25 Gray	Y	? Absent, General Pair, "Present," Did not announce or answer Poll.
5 Rains	Y	15 McDonough	Y	21 Mack	Y	
4 Roberts	?	25 Rousselot	Y	24 Price	?	
6 Selden	Y	20 Smith	Y	23 Shipley	Y	
ALASKA		COLORADO		16 Anderson	?	
AL Rivers	Y	4 Aspinall	Y	17 Arends	Y	
ARIZONA		1 Rogers	Y	19 Chipfield	Y	
2 Udall M.	Y	3 Chenoweth	Y	20 Findley	Y	
1 Rhodes	Y	2 Dominick	Y	14 Hoffman	Y	
ARKANSAS		CONNECTICUT		15 Mason	Y	
5 Alford	?	1 Daddario	Y	18 Michel	Y	
1 Gathings	Y	3 Giaimo	Y	22 Springer	Y	
4 Harris	Y	AL Kowalski	Y	Chicago Cook County		
2 Mills	Y	5 Monagan	Y	1 Dawson	Y	
6 Norrell C.	Y	2 Seely-Brown	Y	12 Finnegan	Y	
3 Trimble	?	4 Sibal	Y	5 Kluczynski	Y	
CALIFORNIA		DELAWARE		7 Libonati	Y	
7 Cohelan	Y	AL McDowell	Y	3 Murphy	Y	
14 Hagen	Y	FLORIDA		6 O'Brien	Y	
2 Johnson	Y	2 Bennett	Y	2 O'Hara	Y	
11 McFall	Y	4 Fascell	Y	11 Pucinski	Y	
1 Miller C.	Y	7 Haley	Y	8 Rostenkowski	?	
8 Miller G.P.	Y	5 Herlong	Y	9 Yates	Y	
3 Moss	Y	8 Matthews	Y	13 Church	Y	
29 Saud	Y	6 Rogers	Y	10 Collier	Y	
5 Shelley	Y	3 Sikes	Y	4 Derwinski	Y	
27 Sheppard	Y	1 Cramer	Y	INDIANA		
12 Sisk	Y	GEORGIA		3 Brademas	Y	
6 Baldwin	Y	8 Blitch	?	8 Denton	Y	
10 Gubser	Y	5 Davis J.C.	Y	1 Madden	Y	
4 Mailliard	Y	7 Davis J.W.	Y	4 Adair	Y	
13 Teague	Y	4 Flynt	Y	7 Bray	Y	
28 Utt	Y	3 Forrester	Y	11 Bruce	Y	
30 Wilson	Y	1 Hagan	Y	5 Vacancy	?	
9 Younger	Y	9 Landrum	Y	2 Halleck	?	
Los Angeles Co.		2 Pilcher	Y	10 Harvey	Y	
22 Corman	Y	10 Stephens	Y	6 Roudebush	Y	
23 Doyle	Y	6 Vinson	Y	9 Wilson	Y	

32	
IOWA	
6 Coad	Y
5 Smith	Y
2 Bromwell	?
3 Gross	Y
8 Hoeven	Y
7 Jensen	Y
4 Kyl	Y
1 Schwengel	Y
KANSAS	
5 Breeding	Y
1 Avery	Y
6 Dole	Y
2 Ellsworth	Y
3 McVey	Y
4 Shriver	Y
KENTUCKY	
3 Burke	Y
4 Chelf	Y
2 Natcher	Y
7 Perkins	Y
5 Spence	Y
1 Stubblefield	Y
6 Watts	Y
8 Siler	Y
LOUISIANA	
2 Boggs	Y
4 Brooks	Y
1 Hebert	Y
8 McSween	?

Democrats in this type; Republicans in *italics*

# CQ House Vote 32.

(Corresponding to Congressional Record Roll-Call Vote No. 64.)

32		32		32		32	
6 Morrison	Y	<b>NEBRASKA</b>		5 Scott	Y	6 McMillan	Y
5 Passman	Y	3 Beermann	Y	12 Taylor	Y	2 Riley	?
7 Thompson	?	2 Cunningham	Y	11 Whitener	Y	1 Rivers	Y
3 Willis	Y	4 Martin	Y	10 Jonas	Y	<b>SOUTH DAKOTA</b>	
<b>MAINE</b>		1 Weaver	Y	<b>NORTH DAKOTA</b>		2 Berry	Y
1 Garland	Y	<b>NEVADA</b>		AL Nygaard	Y	1 Reifel	Y
3 McIntire	Y	AL Boring	Y	AL Short	Y	<b>TENNESSEE</b>	
2 Tupper	Y	<b>NEW HAMPSHIRE</b>		<b>OHIO</b>		6 Bass	Y
<b>MARYLAND</b>		2 Bass	Y	9 Ashley	Y	9 Davis	?
2 Brewster	Y	1 Merrow	Y	11 Cook	Y	8 Everett	Y
4 Fallon	Y	<b>NEW JERSEY</b>		20 Feighan	Y	4 Evins	Y
7 Friedel	Y	11 Addonizio	Y	18 Hays	Y	3 Frazier	Y
3 Garmatz	Y	14 Daniels	Y	19 Kirwan	Y	5 Loser	Y
1 Johnson	Y	13 Gallagher	Y	10 Moeller	Y	7 Murray	Y
5 Lankford	Y	8 Joelson	Y	21 Vanik	Y	2 Baker	Y
6 Matbias	Y	10 Rodino	Y	17 Ashbrook	Y	1 Reese L.	Y
<b>MASSACHUSETTS</b>		4 Thompson	Y	14 Ayres	Y	<b>TEXAS</b>	
2 Boland	Y	3 Auchincloss	Y	8 Betts	Y	3 Beckworth	?
13 Burke	Y	1 Cabill	Y	22 Bolton	Y	2 Brooks	?
4 Donohue	Y	6 Dwyer	Y	16 Bow	Y	17 Burleson	Y
7 Lane	Y	5 Frelinghuysen	Y	7 Brown	Y	22 Casey	Y
8 Macdonald	Y	2 Glenn	Y	2 Clancy	Y	7 Dowdy	Y
12 McCormack	Y	9 Osmer	Y	12 Devine	Y	21 Fisher	Y
11 O'Neill	Y	12 Wallbauser	Y	6 Harsba	Y	13 Ikard	Y
3 Philbin	Y	7 Widnall	Y	5 Latta	Y	20 Kilday	Y
6 Bates	Y	<b>NEW MEXICO</b>		4 McCulloch	Y	15 Kilgore	Y
1 Conte	Y	AL Montoya	Y	23 Minshall	Y	19 Mahon	Y
10 Curtis	Y	AL Morris	Y	15 Moorehead	Y	1 Patman	Y
9 Keith	Y	<b>NEW YORK</b>		13 Mosher	Y	11 Poage	Y
14 Martin	Y	41 Dulski	Y	3 Schenck	Y	4 Rayburn	Y
5 Morse	Y	30 O'Brien	Y	1 Scherer	?	18 Rogers	Y
<b>MICHIGAN</b>		1 Pike	Y	<b>OKLAHOMA</b>		16 Rutherford	Y
7 O'Hara	Y	32 Stratton	Y	3 Albert	Y	6 Teague	Y
12 Bennett	Y	27 Barry	Y	2 Edmondson	Y	8 Thomas	Y
18 Broomfield	Y	3 Becker	Y	5 Jarman	Y	9 Thompson	Y
10 Cederberg	Y	2 Derounian	Y	4 Steed	Y	10 Thornberry	Y
6 Chamberlain	Y	26 Dooley	Y	6 Wickersham	Y	12 Wright	Y
5 Ford	Y	43 Goodell	Y	1 Belcher	?	14 Young	Y
9 Griffin	Y	33 Kilburn	?	<b>OREGON</b>		5 Alger	Y
8 Harvey	Y	31 King	Y	3 Green	Y	<b>UTAH</b>	
4 Hoffman	Y	40 Miller	Y	2 Ullman	Y	2 King	Y
3 Johansen	Y	39 Ostertag	Y	4 Durno	Y	1 Peterson	Y
11 Knox	Y	42 Pillion	Y	1 Norblad	Y	<b>VERMONT</b>	
2 Meader	Y	34 Pirnie	Y	<b>PENNSYLVANIA</b>		AL Stafford	Y
<b>Detroit - Wayne County</b>		35 Rieblman	Y	25 Clark	Y	<b>VIRGINIA</b>	
13 Diggs	Y	37 Robison	Y	21 Dent	?	4 Abbitt	Y
15 Dingell	Y	28 St. George	Y	11 Flood	Y	1 Downing	Y
17 Griffiths	Y	36 Taber	Y	30 Holland	Y	3 Gary	Y
16 Lesinski	Y	38 Weis	Y	28 Moorhead	Y	2 Hardy	Y
1 Machrowicz	Y	29 Wharton	Y	26 Morgan	Y	7 Harrison	Y
14 Rabaut	Y	<b>New York City</b>		14 Rhodes	Y	9 Jennings	Y
<b>MINNESOTA</b>		5 Addabbo	Y	15 Walter	Y	8 Smith	Y
8 Blatnik	Y	8 Anfuoso	Y	29 Corbett	Y	5 Tuck	Y
4 Karth	Y	24 Buckley	?	8 Curtin	Y	10 Broyhill	Y
6 Marshall	?	12 Carey	Y	9 Dague	Y	6 Poff	Y
7 Andersen	Y	11 Celler	Y	12 Fenton	Y	<b>WASHINGTON</b>	
5 Judd	Y	7 Delaney	Y	27 Fulton	Y	3 Hansen	Y
9 Langen	Y	19 Farbstein	Y	23 Gavin	Y	7 Magnuson	Y
3 MacGregor	Y	23 Gilbert	Y	19 Goodling	Y	5 Horan	Y
2 Nelsen	Y	22 Healey	Y	24 Kearns	Y	4 May	Y
1 Quie	Y	6 Holtzman	Y	7 Milliken	Y	1 Pelly	Y
<b>MISSISSIPPI</b>		10 Kelly	Y	16 Kunkel	Y	6 Tollefson	Y
1 Abernethy	Y	9 Keogh	Y	22 Saylor	Y	2 Westland	Y
6 Colmer	?	13 Multer	Y	17 Schneebeli	Y	<b>WEST VIRGINIA</b>	
3 Smith	?	16 Powell	Y	13 Schweiker	Y	3 Bailey	Y
2 Whitten	?	14 Rooney	Y	10 Scranton	Y	4 Hechler	Y
4 Williams	Y	20 Ryan	Y	20 Van Zandt	Y	5 Kee	Y
5 Winstead	Y	18 Santangelo	Y	18 Whalley	Y	6 Slack	Y
<b>MISSOURI</b>		21 Zelenko	Y	<b>Philadelphia City</b>		2 Staggers	Y
5 Bolling	Y	25 Fino	Y	1 Barrett	Y	1 Moore	Y
9 Cannon	Y	4 Halpern	Y	3 Byrne	Y	<b>WISCONSIN</b>	
6 Hull	Y	17 Lindsay	Y	2 Granahan	Y	9 Johnson	?
8 Ichard	Y	15 Ray	Y	5 Green	Y	2 Kastenmeier	Y
10 Jones	?	<b>NORTH CAROLINA</b>		4 Nix	Y	5 Reuss	Y
1 Karsten	Y	9 Alexander	Y	6 Toll	Y	4 Zablocki	Y
11 Moulder	?	1 Bonner	?	<b>RHODE ISLAND</b>		8 Byrnes	Y
4 Randall	Y	4 Cooley	?	2 Fogarty	?	7 Laird	Y
3 Sullivan	Y	2 Fountain	Y	1 St. Germain	Y	10 O'Konski	Y
2 Curtis	Y	3 Henderson	Y	<b>SOUTH CAROLINA</b>		1 Schadeberg	?
7 Hall	Y	8 Kitchin	Y	4 Ashmore	Y	3 Thomson	Y
<b>MONTANA</b>		6 Kornegay	Y	3 Dorn	Y	6 Van Pelt	Y
1 Olsen	Y	7 Lennon	Y	5 Hemphill	Y	<b>WYOMING</b>	
2 Battin	?					AL Harrison	Y

Democrats in this type; Republicans in Italics

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Week ending May 26, 1961 -- PAGE 905



**Aid to Education** The Senate May 25 passed President Kennedy's bill to provide federal funds to aid public schools. The bill was broadened by the Senate to include aid for the operation and maintenance of public schools, as well as their construction and teachers' salaries. The battle now moves to the House, where the Education and Labor Committee this week approved a similar bill. The President's college aid bill, ordered reported by the House Committee May 23, would probably follow the general aid bill to the House floor. (Page 873, 895)

### President's Special Message

Appearing before a joint session of Congress, President Kennedy May 25 asked for additional funds for fiscal 1962 to enhance the U.S. world position and to continue domestic economic recovery. He requested additional funds to modernize the military, expand foreign economic and military aid, and point the space program toward the moon. (Page 876, 880)

### Last Chance?

President Kennedy's talks with Premier Khrushchev may "make or break" the three-year-old East-West talks on a nuclear test ban. Unless the Soviets abandon their latest demand for a veto over the control system, the President may be forced to call it quits and permit the Pentagon to resume testing. This could mean better bombs for both sides, but a more intensive and explosive arms race as well. (Page 877)

### Freedom Riders

The Attorney General, calling for local responsible action, began withdrawing federal officers from Alabama after a week of racial tension set off by Freedom Riders testing desegregation laws. (Page 879)

### Floor Action

Acting on fiscal 1962 money requests, the House approved \$1.4 billion for space activities and \$12.4 billion for ships, missiles, and aircraft. Cleared for the President was a bill to permit subsidized ship cruises in the slack season. (Pages 875-76)

#### Roll-Call Votes

SENATE: Latin America aid, school assistance, p. 901-903.

HOUSE: Military procurement, p. 904.

### Union Spending Case

A lawsuit testing the permissible scope of political and legislative spending by labor unions is now before the Supreme Court. The question is whether constitutional guarantees are violated if a union collects dues money from persons forced to join the union by a union-shop contract and then uses part of the money to promote causes and candidates opposed by those persons. A decision against the unions would have a tremendous impact on national politics and legislation. (Page 881)

### In the Committees

A House committee disapproved the President's plan for reorganizing the Federal Communications Commission while approving almost identical plans for three other regulatory agencies.... The Administration housing bill was reported to the Senate and approved by a House Subcommittee.... Hearings were held on bills to legalize wiretapping, combat organized crime, develop a long-range sugar program, provide federal funds for educational TV, revise the tax laws and raise postal rates. CQ carries a detailed analysis of the wiretap issue. (Pages 890-900)

### Around the Capitol

The Supreme Court upheld an injunction against two Louisiana laws requiring the National Association for the Advancement of Colored People to reveal its membership lists and its officers to file non-Communist affidavits. It also required that the E.I. du Pont de Nemours & Co. divest itself of 63 million shares of General Motors stock.... President Kennedy's endorsement of the tractors for prisoners fund drive brought Congressional criticism.... The disputed Indiana House election was decided in favor of Democrat J. Edward Roush, bringing the House to full strength for the first time in the current session. (Page 878, 880, 900)



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